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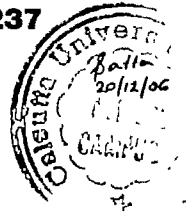
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## RHETORIC AND CHARACTER IN ARISTOTLE

DANIEL N. ROBINSON

IN PLATO'S *SOPHIST*, the competing claims made against and in behalf of sophistical instruction are examined.<sup>1</sup> Like the *Meno*, *Protagoras*, *Philebus*, and other dialogues, the *Sophist* undertakes a sustained examination of the nature of knowledge and of real being, the extent to which we are able to know either as in itself it really is, and the manner in which language is able to represent or express the truth. If, as sophists such as Protagoras insist, "man is the measure of all things," then the knowable realm is not filled with ontological absolutes awaiting discovery or philosophical illumination; rather, it is filled with discursive productions awaiting some sort of contextual analysis or grammatical deconstruction. Depending on which of these ontologies is taken to be valid, it is either the philosopher or the sophist who warrants our hopeful allegiance. Thus, in the *Sophist*, young Socrates asks the Stranger from Elea whether he and his famous teachers, Parmenides and Zeno, are regarded in Italy as philosophers, statesmen, or sophists. It is a question that permits the Stranger to examine just what the sophist does, why he does it, and how immune his art is to the criticisms it routinely elicits.

Against the charge that the sophists create false images and thus delude their students, the Stranger conducts a brief inquiry into the nature of icons of any type.<sup>2</sup> To call something an image of something else, one must mean that there is a likeness between the two, a likeness brought about by the duplication of proportions and the careful copying, one-to-one, of the features of the original. But if this were done perfectly, there would be no basis on which to call one the "original" and the other a "copy" or image or icon. Indeed, for the latter to exist, there must be a difference between it and the original. But in

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<sup>1</sup> All references to Plato are from *The Dialogues of Plato*, 2 vols., trans. Benjamin Jowett (New York: Random House, 1937).

<sup>2</sup> Plato, *Sophist* 239 and following.



this case, the "image" will be a true copy of something else; or, put more aptly, it will itself be an original.

The same line of reasoning can then be applied to discourse, for it too serves as an image of sorts: an image of an image. Now it may be asked whether discourse can be about nonbeing (about that which has no ontological standing) or only about being. If we can traffic only in that which has being, then every statement will be true. If, however, there is to be falsehood and deceit, it must come about by way of discourse about nonbeing. As the latter is manifestly the case, the Stranger locates the sophist in that region of ready escape wherein there are only idols and fancies or where there can be nothing that is mistaken.<sup>3</sup>

As Stanley Rosen has observed in his excellent study of this dialogue:

On either alternative, it follows that the distinction between truth and falsehood is impossible to maintain. We have no discursive access to the original or to genuine being, except in the sophistical sense that every statement is true. Philosophy is then assimilated to sophistry. The sophistical thesis is thus the assertion that man produces being in his capacity as talking animal.<sup>4</sup>

The dialogue concludes successfully for young Socrates who, in silent attendance, learns from the Stranger that the sophist has mastered the art of causing others to contradict themselves; an art human and not divine, for not natural; the art of word-juggling, itself a form of icon-making which strips ontology of natural kinds. The philosopher, on the other hand, makes images of what is real, thereby uncovering the truth of things as these may be known by the soul.

## II

Both philosopher and sophist exert themselves on the souls of their students, for both must avail themselves of those psychological powers and faculties by which one can be moved and taught in the first place. Accordingly, long before Aristotle gave the subject its disciplinary form, rhetoric was understood by the Sophists and by

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<sup>3</sup>*Sophist* 260.

<sup>4</sup> Stanley Rosen, *Plato's Sophist: The Drama of Original and Image* (New Haven: Yale University Press, 1983), 14.



Socrates as an applied psychology whose efficacy depended entirely on the adequacy and soundness of the foundational subject. But among the ancients it was Aristotle who most thoroughly examined the sources of rhetorical influence and refined the subject, as he did so many others, into a systematic body of knowledge and theory; a technical study, as he says, whose subject-matter is the modes of persuasion.<sup>5</sup>

I will focus here on books 1 and 2 of the *Rhetoric*, where the modes of persuasion are associated with the spoken word, and I will examine just two of the three factors identified by Aristotle as supplying rhetoric with its persuasive force. The three factors cited by Aristotle are the character of the speaker, the mental or affective states into which auditors might be moved, and the actual logical or evidentiary resources contained in the rhetorical performance.<sup>6</sup> These establish for Aristotle the conditions of success required by the rhetorician. I shall refer to them as the conditions of credibility, receptivity, and proof, though I will devote most of what follows to the first two of these. Before turning to the first two, I should comment briefly on the third.

The role of the logical structure of a rhetorical argument has been examined closely in a most informative way by Eugene Garver.<sup>7</sup> He recognizes that Aristotle (unsurprisingly) locates the essential nature of rhetorical undertakings in the ends sought, rather than in the purely formal properties. There are, indeed, distinctions to be made between and among the types of rhetoric (*vide infra*), but what makes any of them "rhetoric" is the purpose of the endeavor. Nonetheless, for Aristotle, form and function are tethered in the natural world. How are they linked in rhetoric? Just how is it that logical structure and reasoning persuade? To this significant question, Garver offers a few replies suggested by Hume's famous discussion of *Why Utility Pleases*.<sup>8</sup> Garver presses on past the obvious and reveals a set of

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<sup>5</sup> Aristotle, *Rhetoric* 1.1.1355a. All citations and references to Aristotle's *Rhetoric* are from Aristotle, *Rhetoric*, trans. W. Rhys Roberts, in *The Complete Works of Aristotle*, ed. Jonathan Barnes, vol. 2 (Princeton: Princeton University Press, 1984).

<sup>6</sup> *Rhetoric* 1.2.1358a.

<sup>7</sup> Eugene Garver, *Aristotle's Rhetoric: An Art of Character* (Chicago: University of Chicago Press, 1994).

<sup>8</sup> Garver develops this in *Aristotle's Rhetoric*, chap. 5. It is in chapter 5 of Hume's *Enquiry Concerning the Principles of Morals* that the link between utility and pleasure is considered.



nested difficulties when the analysis turns to rhetoric's aims and reasoning's formal structure. For Aristotle, there is no "reasoning" apart from actual reasonings; for instance, apart from deliberating, judging, praising, blaming, etcetera. But these activities are distinct from the formal structure, the actual logic, or the arguments set forth in the service of these aims. How is the seeming disparity collapsed, if at all? The most plausible answer given by Garver—and by Aristotle—is that "the character of the speaker *is* what is revealed in the speech. . . . Reasoning persuades because it is evidence of *phronesis* and character."<sup>9</sup> No more needs to be said regarding this third factor, then, for we see that it is incorporated into the first. If the perceived character of the speaker is a significant factor in determining the success of rhetorical performances, then the rational structure of the argument derives its power by way of illuminating the character and practical reasonableness of the speaker.

Clearly, although the three factors are distinguishable, they are almost invariably interrelated and, to some extent, interdependent in practice. Consider only how the audience's mental or emotional or moral state might incline them to misjudge the character of the speaker, or how the evidence and logical rigor of an argument might alter the emotional tone of an assembly. Yet again, the command of relevant evidence and the precision and judiciousness with which it is deployed by the speaker may cause auditors to impute an exceptional character to him. Against the opinions prevailing among writers on rhetoric in his own time, Aristotle takes the character of the speaker to be the primary source of rhetoric's power of persuasion.

In observing this, however, Aristotle finds something both odd and irksome. After all, under ideal conditions, those perceived to be of upstanding character, those who are "good men," should enjoy neither more nor less credibility than what their words warrant. Persuasion, he says, "should be achieved by what the speaker says, not by what people think of his character before he begins to speak."<sup>10</sup>

Aristotle offers illustratively the deliberations of the judges of the Areopagus and other courts in what he calls well-governed states. In such settings disputants are simply not allowed to talk about nonessential matters. "This is sound law," he says, for it is wrong "to

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<sup>9</sup> Garver, *Aristotle's Rhetoric*, 151–6.

<sup>10</sup> *Rhetoric* 1.1.1358a9–11.



pervert the judge by moving him to anger or envy or pity—one might as well warp a carpenter's rule before using it.”<sup>11</sup> There is a theoretical issue here, and a seeming paradox tied at once to considerations of a purely formal nature and at the same time to others that are personal, political, and ethical. One should be persuaded by the quality of an argument and should be otherwise immune to the repute or established honor of the speaker. But the latter proves to be the major source of rhetorical influence.

In light of this, one might be confused as to how Aristotle meant the subject of rhetoric to be understood. Is it an effective device by which to achieve ends otherwise blocked by purely judicious reasoning? Is it a way to move those whose passions are easily stirred? Is Aristotle to be counted among cynical and even Machiavellian experts informing those who would aspire to high office just how to manipulate an audience? Indeed, there is much in the essay that presents itself as just such a “how-to” manual. (There are, however, constant reminders in the same pages of the qualities of the virtuous person and the emotions and dispositions of the vicious. Examining these passages, one is inclined to regard the *Rhetoric* as a means of knowing oneself, knowing one's vulnerabilities in the face of masters of persuasion. Taking both aspects of the work at once, one does find the elements of paradox, for the same essay seems to recommend what it condemns.

How is the paradox, if there is one, to be unraveled and settled? To begin, the *Rhetoric* is concerned with a special kind of art which must guide us, as Aristotle says, where we have no other art or systematic knowledge on which to rely.<sup>12</sup> As persuasion itself enters in nearly every aspect of social life, rhetoric is omnipresent. Thus, a taxonomy is needed just to organize the subject, but this very taxonomy depends on that most general of the perspectives to be found in Aristotle's nonlogical treatises; for instance, the ethological perspective. The way to go about defining and identifying the principle forms of rhetoric is to examine its various aims and occurrences where it is explicitly practiced. To know what it is intended for, and to know the causal modalities on which it depends, is finally to understand what kind of art or science it is. This part of the inquiry is essentially value-

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<sup>11</sup> *Rhetoric* 1.1.1354a20–7.

<sup>12</sup> *Rhetoric* 1.2.1357a2–3.



neutral. One can examine the purposes of a trireme and the mechanical and dynamic principles by which it becomes seaworthy without approving of such acts of warfare or piracy as might be perpetrated by the crew. At this point, then, we are best served by reviewing the taxonomy.

Aristotle partitions rhetoric into three branches. With his characteristic passion for categorization, he distinguishes between and among what he calls the deliberative, the forensic, and the epideictic forms of rhetoric, each operating within a definable temporal sphere. Deliberative rhetoric urges action or forbearance and thus seeks to influence the future, chiefly by appeals to prudence and utility. Forensic rhetoric, in the other hand, is the rhetoric of prosecution and defense, the rhetoric of adjudication, based on events that have already taken place and which now cry out for justice. Epideictic (“showy” or “flowery”) rhetoric differs from both of these. It is the rhetoric of censure or encomium, the rhetoric of the here and now, seeking to honor or to condemn.

Note that both the time frames and the ends sought by these three forms of rhetoric differ. We often honor those who throw caution or prudence to the wind and engage in heroic actions that later warrant great praise even by those who first judged the effort to be futile or foolish. Similarly, one might win at litigation on a minor technicality, but thereby secure justice in a manner that is worthy of censure. These specific matters aside, Aristotle encourages us to consider in the most general terms the basis on which we should be urged to do anything at all, or on which urgings are likely to be heeded. Just what is the most general objective of exhortations? Unsurprisingly, this turns out to be happiness and its constituents.<sup>13</sup> Whether the rhetoric is deliberative, forensic, or epideictic, it must finally make contact with commonly held desiderata, among which Aristotle includes good birth, good friends, wealth, good children, health, beauty, honor, and a happy old age, adding a measure of good fortune or luck.

No reasonable person would urge others to neglect or undervalue these, nor would an audience be easily moved to action were these and kindred aims not at stake. But once “happiness” or the good life is taken to be the end or target or goal of an activity—and rhetoric is

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<sup>13</sup> *Rhetoric* 1.5.1360b4–17.



no exception—the nature of happiness itself must be clarified, as well as the nature of that beneficiary or seeker who would find happiness in one or another form of life. Whether we examine individual persons or entire governments, says Aristotle, their qualities “are revealed in their acts of choice, and these are determined by the end that inspires them.”<sup>14</sup> When rhetoric is able to move them to choose, their choices reveal not only the power of rhetoric but something fundamental about those moved by it. So the subject of rhetoric turns out to be more than an examination of the modes of persuasion. It is also, and perhaps more importantly, a means by which to evaluate the qualities, chiefly moral, of both those who exert and those who respond to rhetorical force. It becomes part of that enlarged and characterological psychology found throughout Aristotle’s political and ethical compositions.

### III

If the character of the speaker is often singularly effective in persuading others, it is of importance for the rhetorician to know how character and honor and nobility are comprehended by others. This is especially so where the rhetoric is epideictic.

Just what is that excellence of character (*aretê*) that so fully establishes an allegiance on the part of those who behold it? The general view, says Aristotle, is that it is what finds one providing and preserving good things.<sup>15</sup> Persons of normal judgment and perception regard as excellent those whose efforts bring about and nurture that which is good. However, for the multitude to reach this judgment it is necessary that they regard these consequences as intended. Adventitious good offers no basis for praise or honor. Thus, when the character of the rhetorician is sufficient to win others to his cause it must be a character reflecting or thought to be composed of certain dispositions. Aristotle lists them: justice, courage, temperance, magnificence, magnanimity, liberality, gentleness, prudence, wisdom—in a word, just the virtues extolled in both the *Nichomachean* and *Eudemian Ethics*.

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<sup>14</sup> *Rhetoric* 1.8.1366a13–15.

<sup>15</sup> *Rhetoric* 1.7.1365a37.



To be sure, it is easier for the rhetorician to move an audience by ascribing such virtues to himself or to the audience itself. As Socrates noted, it isn't difficult praising Athenians before a group of Athenians!<sup>16</sup> Lest Aristotle's observation here be taken in a cynical vein, however, note that only those won over to such virtues will be moved by those allegedly possessing them. The fool is not attracted to wisdom, nor the small-minded to magnanimity. Again, the observation establishes one of the grounds on which to assess the moral qualities of both speaker and audience. Those who are moved by guile and pretense, or by expectations of what the virtuous judge to be mean and sordid, present the objective observer with all the evidence needed to reach a sound judgment as to the worth of the collective.

To make such judgments, however, one must have access to more than the actions themselves or even their consequences. Good persons can bring about the undesirable inadvertently. The same is true of foolishness and small-mindedness, or other vices, great and small, which, like their virtuous opposites, are grounded less in the act than in the dispositions that give rise to it. As Aristotle notes, "The worse of two acts of wrong done to others is that which is prompted by the worse disposition. Hence, the most trifling acts may be the worst ones."<sup>17</sup>

The mission of rhetoric in such cases is clear, at least within the forensic domain, where punishments would otherwise be mechanically tied to physical actions and material injuries. To fail to examine the underlying dispositions—the character of the actor—is to treat such behavior as merely a bare fact, with no meaning beyond itself. Understood this way, however, rhetoric itself has a certain reflexive property, in that it seeks to bring about otherwise refractory actions and can do so only by appealing to certain dispositions. The rhetorician finds the principle to which the relevant dispositions are attached and in this way brings about a desired response on the part of those sensitive to the appeal.

To refer to what moves others is to refer to some cause of activity. Accordingly, a theory of rhetoric is also (or is based upon) a theory of action. Aristotle reduces the aetiology of action to seven causes which he denominates chance, nature, compulsion, habit, rea-

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<sup>16</sup> Plato, *Menexenus* 235d.

<sup>17</sup> *Rhetoric* 1.14.1374b24–5.



soning, anger, and appetite.<sup>18</sup> Other candidate causes of action prove to be mere correlates. Thus, young men might act out of strong passions, but it is the anger or the appetite, and not their youth, that causes the action. What chance brings about has only an indeterminate cause and must be without purpose. Nature yields utterly determined and uniform outcomes, beyond the reach of rhetoric. If, then, the rhetorician is to induce action—and granting that he cannot do so by relying on chance or nature or compulsion or habit—he must achieve his aims by appealing to the rational, affective, or appetitive in his audience. Again, what is promised is what is, or is taken to be, a source of happiness; what is promised is what is pleasant, or what will end suffering or grief, or what will secure that which is commonly desired, either for its own sake or for its usefulness.

The actions that rhetoric would elicit, however, have consequences not only for the actors but also for those toward whom the actions are directed. As a result of this, the rhetorical context is one in which considerations of justice often arise, even when the context is not forensic. Justice for Aristotle is not univocal. It refers both to statutory requirements and to abiding principles of equity; to what is local and expressible in writing, and to what requires deeper and more intuitive sources of judiciousness; to understandings that might be implicit in the legislative intent but that might also reach cases never envisaged by the lawgiver.

In this the paradox dissolves further, for we see that forensic rhetoric, far from being a manipulative ploy operating extralegally, is in fact a much needed device for enlarging the juridical context to include principles of equity. What the assembly must be made to understand is what an act betokens about the actor himself. The punishment, if any, for injuries caused by accident or inadvertence is to be far lighter than that arising from turpitude and malignant intent. Thus, in drawing attention to what an evil person really was seeking to achieve—even where the offense itself is minor and its immediate consequences trivial—the rhetorician leads his auditors, by argument and empathy, toward conclusions faithful not only to the facts but to their significance. Thus, even in instances in which a man has acted rashly or intemperately and should therefore receive punishments or rebukes, it is equity, as developed by the rhetorician, that would “ask

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<sup>18</sup> *Rhetoric* 1.10.1369a5–6.



not what a man is now but what he has always or for the most part been. It bids us to remember benefits rather than injuries, and benefits received rather than benefits conferred."<sup>19</sup>

This same rationale operates in other rhetorical contexts as well. In assigning praise or blame, or in urging others on toward a nobler or happier state, one must identify what may only be implicit or even lacking in the aspirations and deliberations of one's audience. In these more general contexts, the rhetorical devices will be those Aristotle called "nontechnical"; devices not formally logical; not closely tied to evidence, eye-witness accounts, written or uttered oaths and contracts.

In these same general settings, the rhetorician must be informed as to how such nonrational (though not irrational) factors as anger and appetite move us. Accordingly, by way of illustration, I should say something at this point about Aristotle's understanding of the relationship between the emotions and motives that may serve as the efficient causes of behavior, and the moral weight of the actions thus generated. One of Aristotle's chief topics in this connection is anger. To understand how he treats of it in the *Rhetoric* is to understand his general position on the emotions.

To begin, Aristotle is surprisingly tolerant and utilitarian, even somewhat positive in describing affective states. In other works in which the emotions are considered under a moral light, he is careful to distinguish between that which is properly accorded moral weight and that which may be said to arise more or less naturally. The emotions and appetites are endemic to animal life and are utterly natural. They have the instrumental function of impelling actions typically associated with self-preservation and propagation. The question as to whether anger or affection or shame or fear is good or bad, right or wrong, praiseworthy or blameworthy, is unanswerable, therefore, for the emotions qua emotions can have no such properties. It is only when their objects or sources are identified, that a moral appraisal becomes possible. To know, for example, that Smith is experiencing the emotion of love, and to know no more, is a morally neutral fact with no more significance than an itch or toothache, until we discover just what or whom Smith loves. Only then is it possible to judge what or

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<sup>19</sup> *Rhetoric* 1.13.1374b15–17.



what kind of person Smith is disposed to love, and therefore what kind of person Smith is.

The moral quality that can be assigned to affective states is determined by an analysis of the agent's dispositions (*hexeis*). Properly recast, therefore, our moral ascriptions will be of the form, "Smith has a good (or bad) disposition to anger (or love, or shame, or fear, and so on). The virtuous man is angered by villainy; the great-spirited man has contempt for small-mindedness, and so on. The dialectical relationship is again apparent in Aristotle's briefer discussions of pity and indignation. Pity is the pain we feel when an evil befalls one who does not deserve it. Indignation is the pain we feel when good fortune befalls another who does not deserve it. In both cases, we may be said to have a good *hexis* for the felt emotion. Both of these feelings, says Aristotle, "are associated with good character."<sup>20</sup> Tranquility in the face of injustice, to paraphrase a political slogan of not too many years ago, is no virtue!

The emotion of anger finds a special place in Aristotle's *Rhetoric* because it is most closely associated with the gaining and preserving of honor, with the avenging of injuries, and with the burdens faced by those who would have prudence prevail in times of unrest. Anger thus figures centrally in the three main branches of rhetoric: the deliberative, the forensic, and the epideictic. Perhaps more than any other emotion, it is anger that the rhetorician must understand most fully.

Anger, says Aristotle, is a species of desire: the desire for revenge on the part of one who has been slighted by those who have no cause to do so. Thus, it is always directed toward a specific person or group.<sup>21</sup> One may be slighted in different ways: by contempt, by spite, and by insolence. The rhetorician who would calm his audience must work against the causes of their anger, either by exhausting their anger on another target, or by promising justice in the end, or by substituting some other form of gratification. Once more, however, success will depend not only on the skills of the rhetorician but on the nature of those to whom he makes his appeals and their essential character. Nothing good can be said of those whose rightful indignation is eliminated by humor or distracted by scapegoats.

<sup>20</sup> *Rhetoric* 2.9.1386b.

<sup>21</sup> *Rhetoric* 2.1.1378a32.



## IV

In his ethical treatises, Aristotle provides painstaking examinations of the specific virtues and vices and makes clear how these must be examined with great particularity in assessing individual persons. But the rhetorician, by the very necessities of the case, must deal with collectives and must therefore possess knowledge based on generalities about human nature. He must have a typology that is serviceable in persuading identifiable collectives.<sup>22</sup> It is in his *Rhetoric*, then, that Aristotle begins to develop a comparative psychology of “types” at the most general level.

One “type” of personality is the result—all other relevant factors being equal—of age. The young, the old, and those in their prime generally have distinctly different dispositions. The young are passionate and easily offended, their lives spent in expectation rather than in memory. Not often having been humbled, they are given to lofty notions and are inclined to be contemptuous of merely useful ones. Those past their prime are the opposite, neither loving warmly nor hating bitterly. They are sure of nothing and underdo everything. “They are small-minded,” he says, “because they have been humbled by life; their desires are set upon nothing more exalted or unusual than what will help to keep them alive.”<sup>23</sup> Those in the prime (physically, those about 35 and mentally those about 49) are found between these extremes—their lives guided “not by the sole consideration either of what is noble or what is useful, but by both; neither by parsimony nor prodigality, but by what is fit and proper.”<sup>24</sup>

Clearly, the well-ordered state is architectonic for the well-ordered life (and vice versa), which tends to be the life lived by those in their prime. It conducts its affairs not so much “moderately,” but midway between excess and deficiency. Were all citizens of the polis paragons of virtue, there would be no need for rhetoric. A rational analysis of the facts would combine with the virtuous dispositions to yield exemplary conduct. Alas, this is an unrealized ideal. It is the power of rhetoric, rightly deployed, that can overcome the limitations of youth or senility, of rashness or cowardice, of tendencies to vice.

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<sup>22</sup> *Rhetoric* 2.11.1388b32 and following.

<sup>23</sup> *Rhetoric* 2.12.1389b25–6.

<sup>24</sup> *Rhetoric* 2.14.1390b.



There is no clear and effective alternative to these powers except under any but a totalitarian regime. Where democratic principles are valued, where justice itself is valued, where meritocratic principles are installed, there one will find a place for rhetoric. Neither wealth nor luck nor a good pedigree will serve in its place. Luck is fickle and the wealthy soon come to regard wealth as the only standard of value. As for breeding, Aristotle deserves to be quoted at length:

Being well-born, which means coming of a fine stock, must be distinguished from nobility, which means being true to the family nature—a quality not usually found in the well-born, most of whom are poor creatures. In the generations of men, as in the fruits of the earth, there is a varying yield.<sup>25</sup>

Where Socrates would breed the Guardians and rely on eugenic programs to populate the ideal state, Aristotle, ever the realist, considers various ways of making the best of an admittedly dangerous and unpredictable situation. He is satisfied that he understands the nature of virtue and even the conditions under which it is instilled in those (few?) who are receptive. But this leaves unattended that great mass of humanity on whom the polis must finally depend for its very survival. If guidance is to be effective, the teacher must know his students' strengths and limitations, aversions and temptations.

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<sup>25</sup> *Rhetoric* 2.15.1390b21.



PLATO'S *MINOS*:  
THE POLITICAL AND PHILOSOPHICAL CONTEXT  
OF THE PROBLEM OF NATURAL RIGHT

V. BRADLEY LEWIS

THE BRIEF DIALOGUE ENTITLED *MINOS* is one of the thirty-five dialogues attributed by the tradition to Plato. It has often been regarded as a foundational document in the history of legal philosophy.<sup>1</sup> It has also usually been thought—despite its place in the Thrasyllian tetralogies and the testimony of Diogenes Laertius—to have been written by someone other than Plato.<sup>2</sup> This paper does not address the question

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<sup>1</sup> See for instance Werner Jaeger, "Praise of Law: The Origin of Legal Philosophy and the Greeks," in *Interpretations of Modern Legal Philosophy: Essays in Honor of Roscoe Pound*, ed. Paul Sayer (New York: Oxford University Press, 1947), 369–70; Anton-Hermann Chroust, "An Anonymous Treatise on Law: The Pseudo-Platonic *Minos*," *Notre Dame Lawyer* 23 (1947): 48; Huntington Cairnes, *Legal Philosophy From Plato to Hegel* (Baltimore: Johns Hopkins University Press, 1949), 31–2, and "What is Law?" *Washington and Lee Law Review* 27 (1970): 199; Roscoe Pound, *An Introduction to the Philosophy of Law*, rev. ed. (New Haven: Yale University Press, 1954), 6; R. F. Hathaway and L. D. Houlgate, "The Platonic *Minos* and the Classical Theory of Natural Law," *American Journal of Jurisprudence* 14 (1969): 115.

<sup>2</sup> The case against Platonic authorship of the *Minos* was most clearly stated in August Boeckh, *In Platonis qui vulgo fertur Minoem* (Halle: Hemmerde, 1806) and was later repeated in Friedrich Schleiermacher's 1818 introduction to his translation of the *Minos* (reprinted in *Über die Philosophie Platons*, ed. Peter M. Steiner [Hamburg: Felix Meiner Verlag, 1996], 171–3), W. A. Heidel, *Pseudo-Platonica* (Baltimore: Friedenwald, 1896), 39–43, and Josef Pavlu, *Die Pseudoplatonischen Zwillingsdialoge Minos und Hiparch* (Vienna: Verlag de K. K. Staatsgymnasiums, 1910). The main arguments can be summarized thus: the *Minos* is too stylistically crude, philosophically simplistic, and too full of just plain bad argument to be a work of Plato. Boeckh instead ascribed it to a minor Socratic, Simon the cobbler, mentioned by Diogenes Laertius (2.122–3) as having taken notes on his conversations with the master, which he later used to compose dialogues, one of which was called *Peri nomou*. Margherita Isnardi, "Una Nota al 'Minosse' Pseudoplatonico," *La Parola del Passato: Revista di Studi Classici* 9 (1954): 45–53, attributed the *Minos* to an author "se non individuabile nella sua identità precisa, almeno da considerarsi gravitante nell'orbita della prima Academia postplatonica" (52), largely on the basis of passages she took to



of authenticity directly.<sup>3</sup> It rather concerns the substantive teaching of the *Minos* about its explicit subject, law.<sup>4</sup> While the *Minos* has been regarded as foundational to legal philosophy, it has, more specifically, been seen by some as foundational in the history of natural law theory.<sup>5</sup> Conversely, it has also been interpreted as offering a largely procedural theory of law.<sup>6</sup>

It would seem a stumbling block for any natural law reading of the *Minos* that the word "nature" (*phusis*) is never uttered in the dia-

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be quotations from the authentic dialogues. Among the other scholars who reject Platonic authorship are Jaeger, "Praise of Law," 369 and 375 n. 74; Chroust, "An Anonymous Treatise on Law," 47, and "A Note to the Pseudo-Platonic Dialogue *Minos*," *American Journal of Jurisprudence* 15 (1970): 171-4; Jerome Hall, "Plato's Legal Philosophy," *Indiana Law Journal* 31 (1956): 199; A. E. Taylor, *Plato: The Man and His Work*, 6th ed. (New York: Humanities Press, 1952), 540; Holger Thesleff, *Studies in the Styles of Plato*, Acta Philosophica Fennica, vol. 20 (Helsinki: Fennica, 1967), 13. Paul Shorey, *What Plato Said* (Chicago: University of Chicago Press, 1933), 425, suggested that the dialogue might have been partly written by Plato and partly by someone else. Most recently, the critical case has been made in Christopher Rowe, "Cleitophon and *Minos*," in *Cambridge History of Greek and Roman Political Thought*, ed. Christopher Rowe and Malcolm Schofield (Cambridge: Cambridge University Press, 2000), 303-9.

<sup>3</sup> While modern scholars are largely opposed to Platonic authorship, the weight of tradition is largely on its side, and, for what it is worth, it seems to me that absent strong evidence to the contrary, the tradition deserves the utmost respect. The most detailed case for Platonic authorship was made by George Grote, *Plato and the Other Companions of Sokrates*, 3d ed., vol. 1 (London: John Murray, 1888): 93-7. Grote shared the view that the *Minos* was inferior, but he argued for Platonic authorship. His main reason for the former judgment was that the reasoning in the dialogue was "confused and unsound" and "illogical" (88, 95). If this standard were sufficient to exclude a dialogue from the corpus Platonium, however, Grote argued, one would have to cast doubt on the *Phaedo*, since its argument for the immortality of the soul is so bad! Grote has a point here, if one ignores the dialogue form and assesses the arguments offered in the dialogues simply by the canons of logic, as Grote evidently does. For defenses of Platonic authorship see also Glenn R. Morrow, *Plato's Cretan City: A Historical Interpretation of the "Laws"* (Princeton: Princeton University Press, 1960), 35-9; and William S. Cobb, "Plato's *Minos*," *Ancient Philosophy* 8 (1988): 187-207, especially 187-9.

<sup>4</sup> *Peri nomou* is the second title given the *Minos* in the manuscripts and is reported in Diogenes Laertius' list of dialogues (3.60). The second titles are attributed by Diogenes to Thrasyllus, who arranged the dialogues into tetralogies, although they may be much older, perhaps even Platonic. See R. G. Hoerber, "Thrasyllus' Platonic Canon and the Double Titles," *Phronesis* 2 (1957): 10-20.



logue. Moreover, there are moments when the dialogue does seem to suggest a conventionalist view of law in its late focus on the character of Minos himself, a legislator whom the tradition also describes as a brutal despot. Indeed, one recurrent argument against Platonic authorship of the *Minos* is what seems to be an incoherence between the first part of the dialogue, with its focus on arriving at an adequate definition of law, and the conclusion, which focuses on the legendary Kretan ruler, Minos.<sup>7</sup> In what follows, I offer an interpretation of the *Minos* that has three goals: first, it shows in what sense the *Minos* can and cannot be read as supporting the theory of natural law; second, and related to the first point, it shows how the dialogue is a coherent whole by relating the discussion of Minos to the discussion of law; third, following these two points, it shows the relevance of the *Minos* to questions that are central to the Western tradition of legal philosophy.

The *Minos* does not, I will argue, offer a full-blown natural law theory. Rather, it displays the context in which reflection on the possibility of natural right occurs. This context is both philosophical and political and suggests the sort of inquiry conducted in Plato's much

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<sup>5</sup> See for instance Grote, *Plato*, 421–5; Shorey, *What Plato Said*, 425; Jaeger, "Praise of Law," 370–1; Chroust, "An Anonymous Treatise on Law," 48–9; Cairnes, *Legal Philosophy from Plato to Hegel*, 33–7; Guido Fassò, *Storia della filosofia de diritto*, vol. 1 (Bologna: Società editrice il Mulino, 1966), 78–9; Hathaway and Houlgate, "The Platonic *Minos*"; and compare Joseph P. Maguire, "Plato's Theory of Natural Law," *Yale Classical Studies* 10 (1947): 153; M. B. Crowe, *The Changing Profile of the Natural Law* (The Hague: Martinus Nijhoff, 1977), xi; Julia Annas, *The Morality of Happiness* (New York: Oxford University Press, 1993), 303 n. 47; Robert P. George, "Natural Law and Civil Rights: From Jefferson's 'Letter to Henry Lee' to Martin Luther King's 'Letter from Birmingham Jail,'" *Catholic University Law Review* 43 (1993): 149–50.

<sup>6</sup> Judith Best, "What is Law? The *Minos* Reconsidered," *Interpretation* 8 (1980): 102–13.

<sup>7</sup> Shorey, *What Plato Said*, 425. Jaeger, "Praise of Law," 370–1, takes the introduction of Minos as perfectly coherent, but holds that Minos serves as an allegory, as does Chroust, "An Anonymous Treatise," 52–3. I suggest below that he be taken more literally. Hathaway and Houlgate, 107, are closer to the truth in seeing him as ironic, but even this is not quite right. Best, "What is Law?" 102, also reads the dialogue as a coherent whole, as does Leo Strauss, "On the *Minos*," in *The Roots of Political Philosophy: Ten Forgotten Socratic Dialogues*, ed. Thomas L. Pangle (Ithaca: Cornell University Press, 1987), 67–79.



longer and more constructive dialogue, the *Laws*.<sup>8</sup> The *Minos* accomplishes these tasks first by showing the aspiration of law to truth, while grappling with the obvious fact of diversity in human laws, often thought to count as evidence against natural law. But the dialogue also suggests how that diversity is compatible with an account of the human good as the object of political life and of legislation. Second, the *Minos* highlights, as the context in which law and legal authority must be understood, the concrete origins of law and political authority. This is the purpose of the discussion of Minos in the dialogue. Finally, in doing these things, the *Minos* suggests the limitations of modern theories of law—both natural law and positivist theories—by stressing the importance of the political context of law and legal authority. At the same time, it points beyond politics to the transcendent good of philosophical inquiry. If this interpretation is correct, the *Minos* is a brief, but nevertheless subtle and penetrating work. This does not prove Platonic authorship, but it does support it by answering those critics who have seen in it an inferior production unworthy of Plato.

My method in approaching the dialogue is that of the interpretive essay. The dialogue form of the *Minos* with its dramatic elements as well as its relatively brief compass make this a manageable approach that takes the whole of the work seriously while still allowing the most important philosophical questions to emerge clearly.<sup>9</sup> Moreover, many of the judgments against Platonic authorship seem to rest (however consciously or unconsciously) on an abstraction from the dialogue form. That form itself preserves the philosophic and political context, thereby manifesting the greatest problems of law as related to the human good itself.

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<sup>8</sup> Aristophanes of Byzantium placed the *Minos* before the *Laws* in his trilogies as did Thrasyllus in his later tetralogical organization of the Platonic corpus. Partly because of this, many have seen the former dialogue as a sort of introduction to the latter. See Taylor, *Plato*, 540 (who opposes this view for reasons related to his rejection of Platonic authorship); Cairnes, "What is Law?" 199; Morrow, *Plato's Cretan City*, 37; Hathaway and Houlgate, 106–7; and Leo Strauss, "On the *Minos*," 67, and *The Argument and the Action of Plato's "Laws"* (Chicago: University of Chicago Press, 1975), 1. Compare Cobb, "Plato's *Minos*," 193.

<sup>9</sup> On the growing consensus for the centrality of the dramatic element in the Platonic dialogues see the discussion in Gerald A. Press, "The State of the Question in the Study of Plato," *Southern Journal of Philosophy* 34 (1996): 507–32.



## I

The dialogue is opened by Socrates. We must assume then that he has some aim in mind in initiating this discussion of law. Since Socrates' interlocutor has no proper name, we may infer that this is not a historical conversation, but rather one made up by Plato. The subject matter is paramount, not the personalities. Of course Socrates had one particularly bad run-in with the law. His interlocutor is an anonymous "companion" (*hetairos*) and will later evince an understanding of law that is distinctly from the perspective of a citizen.<sup>10</sup> Is this an inquiry into the understanding of law that resulted in Socrates' conviction? Is the companion a cipher for one of the jurymen? He is in any case a "plain person" and, from what we can tell in the rest of the dialogue, one without special or detailed knowledge of Athenian law.<sup>11</sup>

The question with which Socrates begins is "What is the law for/ among us (*hêmin*)?"<sup>12</sup> "Law" (*nomos*) is the very first word of the dialogue. The ambiguous pronoun could indicate an ambiguity in the relationship of the two interlocutors. "What is law?" *simply* is a philosophical question; "What is our law?" is a factual question. The companion takes the question to be too abstract in any case and asks "what sort" of law Socrates is talking about. Socrates asks on what basis we would differentiate kinds of law. He suggests that insofar as a law is a law, there is something in which all laws partake. Moreover, he compares law to gold and stone, a comparison that seems to

<sup>10</sup> I translate *hetairos* as "companion" throughout; however, the word can have additional connotations that may be important. Liddell and Scott's *A Greek-English Lexicon*, 9th ed. (Oxford: Clarendon Press, 1940), s.v., lists "comrade," "companion," and even "pupil" or "disciple," suggesting still another possibility. On the ordinary citizen perspective of the companion, compare Grote, *Plato*, 71; Jaeger, "Praise of Law," 370. Chroust, "An Anonymous Treatise on Law," 49, states that the companion is a student. Hathaway and Houlgate, "The Platonic *Minos*," 107, refer to him as an "Everyman." Best, "What is Law?" 103 (see also 107), calls him the "voice of common sense."

<sup>11</sup> Best, "What is Law?", 105, 110–11, also suggests that the companion manifests democratic prejudices. Strauss, "On the *Minos*," 72, holds the opposite view.

<sup>12</sup> *Minos* 313a1. I cite the *Minos* throughout by Staphanus page from the text in *Platon: Oeuvres Complètes*, vol. 13, pt. 2, 3d ed., ed. Joseph Souilhé (Paris: Société d'Édition "Les Belles Lettres," 1981). Translations are mine, although I have gained much from Thomas Pangle's translation in *The Roots of Political Philosophy*, 53–66.

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abstract from the distinction between nature and art. One doesn't just find laws lying about like stones, and clearly there appears to be a crucial part of law that is related to human attitudes and beliefs. In this respect, laws are instances of collective intentionality rather than brute facts.<sup>13</sup> A stone is a stone no matter what one thinks about it. Laws are made and can be unmade. Knowing that something is a law suggests some set of necessary and sufficient conditions that relate to human intentions and purposes.<sup>14</sup> Socrates wants to know what law is "as a whole" (*to pan*).<sup>15</sup>

The companion replies in a way that confirms one's doubts about Socrates' analogy to gold and stone. He suggests that law is "the things held" or "believed" (*ta nomizomena*).<sup>16</sup> Socrates again offers an odd analogy. If law is the things held, is speech defined as the things spoken or sight as the things seen or hearing as the things heard? Now, in one sense the answer could be yes, since a speech (*logos*) could literally refer to a thing spoken, a sight (*opsis*) to a thing seen, or a sound (*akoē*) to a thing heard. But in a wider sense, one in which speech, sight, and hearing were understood to refer to faculties or powers, one would not simply identify them with particular instances or objects. What happens if one thinks of law and holding-as-law in this way? One immediately sees the problem. If *nomos* is taken to mean "customary belief" or some such thing, one can redefine it as a "thing held or believed." If one takes it simply to mean

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<sup>13</sup> John R. Searle, *The Construction of Social Reality* (New York: The Free Press, 1995), 23–6.

<sup>14</sup> Consider H. L. A. Hart, "Definition and Theory in Jurisprudence," in *Essays in Jurisprudence and Philosophy* (Oxford: Clarendon Press, 1983), 21–47.

<sup>15</sup> *Minos* 313b5.

<sup>16</sup> *Minos* 313b7–8. There is a meaningful ambiguity here and one that resonates throughout the dialogue. The verb, *nomizo*, which is related to the noun for law, *nomos*, can mean "to habitually use," "to recognize as," or "to believe in," as in *theous nomizein*, "to believe in the gods" (for instance, *Apology* 24b9–c1). See Pierre Chantraine, *Dictionnaire étymologique de la langue grecque* (Paris: Klincksiek, 1974), 742–4. Best, "What is Law?" 102, suggests that this answer indicates an accurate recognition by the companion of the "binding" character of law, but given the semantic range of *nomizō* this seems doubtful. Put another way, the companion does not make the distinction Hart suggested against Austin between a custom and a rule. A custom can be described externally, but a rule that justifies can only be understood from an internal perspective. See H. L. A. Hart, *The Concept of Law* (Oxford: Clarendon Press, 1961), 50–61.



"law," one can still redefine it as a "thing held as law." But the second sense indicates more difficulties since it seems odd to think of holding-something-as-law as a faculty or power like speaking, seeing, or hearing. On the other hand, it could simply suggest that laws are what we believe them to be; that is, it suggests that laws are a kind of opinion.

Why does Socrates make this move? One thing it does is suggest again the difference between art and nature. First he mentioned stones and gold; now he mentions natural human powers like speech, seeing, and hearing. If the analogy is to hold, we have to say something like this: man has a faculty or power of holding or obeying law. What is odd is that the companion accepts this. He accepts tentatively (*allo moi nun ephanê*) that "law" is other than "things held."<sup>17</sup> This could either indicate belief in a law-holding power or in some distinct ideal or standard of law, "law-as-it-should-be" as distinct from particular laws or the "essence" of law. It is difficult at this point to see how the problem could be resolved. To say that law is simply a thing held seems trivial; to say it is the object of a law-holding faculty seems odd. To suggest an ideal standard seems, at this stage, too abstract. The next exchange reveals the problem: the citizen perspective itself. What Socrates ultimately does is change the companion's perspective on law from that of a law follower to that of a lawmaker. The analogy of law to natural objects retains its plausibility only from the perspective of a typical citizen for whom the origin of law is unknown, and who may hold it to be the product of divine agency or simply the way things have always been. The comparison to other faculties reveals the limits of such a perspective. At this level the problem is insoluble. Only from the perspective of the lawmaker can further traction be gained.<sup>18</sup> There is a complication here too, however, which one can

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<sup>17</sup> *Minos* 313c4.

<sup>18</sup> A similar point has been made by H. L. A. Hart in describing the traditional version of legal positivism: "It is the strength of the doctrine which insists that habitual obedience to orders backed by threats is the foundation of a legal system that it forces us to think in realistic terms of the relatively passive aspect of the complex phenomenon which we call the existence of a legal system. The weakness of the doctrine is that it obscures or distorts the other relatively active aspect, which is seen primarily, though not exclusively, in the law-making, law-identifying, and law-applying operations of the officials or experts of the system. Both aspects must be kept in view if we are to see this complex social phenomenon for what it actually is." *The Concept of Law*, 61; compare 112–13.



grasp by recalling the statement attributed to Bismarck that laws are like sausages: it is better for citizens not to see them being made.

How does Socrates effect the transition? First, the example of speech is silently dropped. Of the three examples, speech is surely the most closely related to law since law is literally speech. With respect to sight and hearing, Socrates abstracts from the peculiarities of the faculties to what they have in common, that is, they are both types of perception (*aisthêsis*).<sup>19</sup> Is the law-holding power also one that works through a kind of "perception or manifestation" (*aisthêsis tini hê dôlêsis*)?<sup>20</sup> The analogy seems strained, but he goes even further, asking if law could be known in the way that things learned through scientific inquiry are learned (*hôsper ta manthanomena manthane-tai dêlousê tê epistêmê*).<sup>21</sup> Without pausing, Socrates goes on to ask if the law is a discovery (*ta heuriskomena*) like things discovered by medicine and divination (*mantikê*).<sup>22</sup> The complexity of the string of analogies is striking: first there are powers of the soul, then perception, then learning, and finally discovery. Or is it a progress? One begins with native human capacities (powers), passes to more general and developed capacities (perception), then to knowledge (learning), and finally to another (higher) type of knowledge (discovery) equated with the specific arts of medicine and divination. The trajectory, at any rate, is from nature to art (*technê*).<sup>23</sup> Moreover, the two arts mentioned have a particular connection to human happiness: medicine is related to the care of the body; divination to knowing the mind of the gods. The arts are an attempt to manage the world, but they are (however distinct) similarly limited in that they cannot control chance. They must work in accord with chance or have the assistance of the gods. Divination can be a kind of supplement to the arts.<sup>24</sup> Is law a similar phenomenon, a kind of art that benefits humans? If so, then the proper analogy is not one we could see best from the perspective

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<sup>19</sup> *Minos* 314a2, 5.

<sup>20</sup> *Minos* 314a8.

<sup>21</sup> *Minos* 314b1–2.

<sup>22</sup> *Minos* 314b2. Strauss, "On the *Minos*," 73, notes an indication of doubt on Socrates' part about divination. However that may be, medicine (such as it was) and divination were certainly regarded as closer in character in antiquity than today. See Ioan P. Culianu, "Iatroi Kai Manteis: Sulle strutture dell'estatismo greco," *Studi Storico Religiosi* 4 (1980): 287–303.

<sup>23</sup> *Minos* 314b5.

<sup>24</sup> Consider *Laws* 709a–d; compare 687e, 688c.



of the patient, but rather from that of the doctor, that is, the lawmaker. The upshot of this is that law has more to do—at the moment—with art than with nature. That means we must turn to the artist.

The companion is still not clear about this, however, since, when Socrates asks him what it is that law attempts to discover, he replies that it is “opinions and decrees” (*ta dogmata kai psêphismata*), then goes on to define law as the “opinion of cities” (*dogma poleôs*). He also agrees to Socrates’ restatement that law is *doxa politikê*. To “discover” the city’s opinions still looks like a view from the observer/citizen, not from the artist/lawgiver. That Socrates does not agree is indicated by his response: “And perhaps you speak nobly, but we will probably know better by going this way.”<sup>25</sup>

Socrates asks the companion if the wise are wise through wisdom and the just through justice? The companion agrees in each case, and the point seems to be that through the presence of certain virtues in the soul virtuous action follows. But then he asks if the lawful (*hoi nomimoi*) are such through law (*nomô*), to which the companion also agrees.<sup>26</sup> Is *nomos* the name of a virtue? A moment ago we saw it called an opinion (*dogma*). Can a virtue *be* an opinion? Even if the word Socrates had used were different, say “law-abidingness,” it would seem odd since one usually thinks of the virtue by which one is *nomimos* as justice. However, one definition of courage that Socrates gives in the *Republic* is that of preserving opinions inculcated by law about what is truly fearful and what is not.<sup>27</sup> Conversely (and more plausibly), the lawless are such through lawlessness (*anomia*). Now Socrates also has the companion agree that “the lawful are just” and the “lawless unjust,” introducing the very virtue that we might reasonably have expected above. Moreover, justice and law are said to be “most noble” (*kallistos*) and their contraries “most shameful” (*aischistos*).<sup>28</sup>

Now the nobility of justice and lawfulness are clearly related by Socrates to the view that they “save cities” (*sôzei tas poleis*), while their opposites destroy and overturn cities.<sup>29</sup> To line up lawfulness, justice, and the preservation of the city with nobility in this way

<sup>25</sup> *Minos* 314b7–c5.

<sup>26</sup> *Minos* 314c11.

<sup>27</sup> *Republic* 429c–430c.

<sup>28</sup> *Minos* 314d7–9.

<sup>29</sup> *Minos* 314d11.



suggests the discussion of justice and complete virtue in the fifth book of the *Nicomachean Ethics*. There Aristotle presents an account of these things that, at times, seems close to a kind of legal positivism. That it is not positivism is indicated by Aristotle's statement that the law commands and forbids correctly "when framed correctly" and not well if framed hastily,<sup>30</sup> as well as by the celebrated discussion of natural right in the seventh chapter of book five. Does Socrates do the same in the *Minos*? Sort of.

One can begin by asking in what sense *laws* "save the city." The phrase *soteria tês poleôs* had a technical meaning in Athenian law, although its more visceral meaning referred to heroic acts of self-sacrifice in defense of a city threatened by an enemy.<sup>31</sup> The laws are considered in something like this way in both the *Apology* and *Crito*. In both cases they are at odds with the claims of Socrates himself, who describes himself as sent to the city by the gods. Socratic philosophizing is thus a kind of service to the god and to the city, which the citizens take to be a threat to the laws. Considering the claim that the laws save the city is a way of considering their claims against those of some rival. Which rival? Socrates indicates this directly.

The two agree that law is something noble and good, but, Socrates reminds the companion, it was earlier defined as a *dogma* of the city and *dogmata* can be valuable or worthless. Law cannot be worthless, so it is incorrect *simply* to call it a *dogma poleôs*. It must be a valuable *dogma*, but does not the value of an opinion rest in its truth? If so, Socrates suggests, and true opinion is "the discovery of what is" (*tou ontos exeuresis*). "Law," Socrates concludes, "wishes (*bouletai*) to be the discovery of what is."<sup>32</sup> One can see two problems with this account immediately. First, does the worth of a political opinion simply reside in its truth? If we consider the immediately preceding discussion of the "saving of cities," it may seem that some falsehoods may serve worthy political purposes.<sup>33</sup> But second, and more striking, to say that law seeks to be the discovery of "what is"

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<sup>30</sup> *Nicomachean Ethics* 5.1.1129b24–5.

<sup>31</sup> See Emily Kearns, "Saving the City," in *The Greek City From Homer to Alexander*, ed. Oswyn Murray and Simon Price (Oxford: Clarendon Press, 1990), 323–44 and below, section 2.

<sup>32</sup> *Minos* 315a1–3.

<sup>33</sup> That is, from the perspective of cities. Consider *Republic* 382c3–d4 (especially d3), 389b2–8, and *Laws* 663d6–664b2.



seems to identify it with nothing less than philosophy itself.<sup>34</sup> How could one reasonably believe that these two things are the same? Philosophy, after all, is a striving for "what is" and an unwillingness to brook opinion that is not true. It is a ceaseless and passionate quest for truth and never settles for anything less.<sup>35</sup> Law does not seem to be this sort of thing at all. Where philosophy is unending inquiry, suppleness, and willingness to investigate every possibility, law is fixed and hard: it precludes possibilities and thwarts desire. To have any efficacy, law must be free of great or sudden changes, to which thought must be open.<sup>36</sup> Moreover, law is abstract, seeking to be applicable to a wide variety of cases, and thus has a tendency to rigidity.<sup>37</sup> To identify law with philosophy seems strange indeed.

But Socrates' statement is also problematic from the perspective of philosophy. Notice first that the discussion is cast in terms not of philosophy explicitly, but of right (*orthós*) or true opinion;<sup>38</sup> and second, that the true opinion in question wishes to be the discovery of "what is" (*tou ontos*).<sup>39</sup> The object of philosophy in the Platonic dialogues is usually said to be the "things that are" (*ta onta*),<sup>40</sup> a seeming recognition on the part of philosophy that being is heterogeneous and that the search for truth must not prematurely impose upon it a unity that is not evident. From this perspective Socrates' statement also seems unphilosophical.

The definition of law as wishing to be the "discovery of what is" thus suggests two things. First, the jarring equation of law with philosophy calls to mind precisely not only the sense in which the two are not equivalent, but also the possibility for conflict between them.

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<sup>34</sup> Hathaway and Houlgate, "The Platonic *Minos*," 113, go so far as to say that "for Socrates law is a human activity which in its perfected form is philosophy. Stated in another way, philosophy is what law as an activity 'wishes' to be, its fully realized good or *telos*." It seems more likely, as I state below, that Best, "What is Law?" 111–12, is more correct to suggest that this is Socrates' way of indicating a contrast between philosophy and law.

<sup>35</sup> See especially *Republic* 475b, 490a8–b7, and *Seventh Letter* 340c1–341a1; compare pseudo-Platonic *Definitions* 414b7–9.

<sup>36</sup> Compare *Laws* 634e and St. Thomas Aquinas, *Summa theologiae* I–II, q. 97, a. 2.

<sup>37</sup> Compare Aristotle *Nicomachean Ethics* 5.10.1137b13–19; *Politics* 3.15.1286a8–b20; Plato *Statesman* 293e8–294c8; *Laws* 875c3–d5.

<sup>38</sup> *Minos* 314e17, 315a1.

<sup>39</sup> *Minos* 315a1, 3.

<sup>40</sup> Consider *Republic* 413a, 479e, 500b. I am grateful to Stephen Salkever for calling this difference to my attention.



That it is Socrates who suggests this account reminds one that Socrates' own death was the result of a conflict between philosophy and the city of Athens. While the law may *wish* to be the discovery of what is, it surely *is* not in any simple way. Second, the definition calls to mind law's most unphilosophical characteristic, its rigidity in the face of the great variability of human affairs. Socrates seems to wish to indicate here that, while law is indeed not philosophy, the dogmatic nature of its opinions necessarily tends toward a unified view of truth. In other words, the law wishes to be *the* truth, the final truth, and thus makes a claim that even genuine philosophy could not hope to sustain. Law can represent a kind of image of philosophy, one that is untrue to philosophy's object. Indeed, to suggest that law is a kind of image suggests the shadow images cast on the wall of the cave from *Republic* 7, itself an image of the "public" world constituted by opinion.<sup>41</sup> It is also important to note with Strauss that the companion drops Socrates' qualification "wishes."<sup>42</sup>

But this is not all. While law is both not philosophy and a blunt instrument (however necessary) for the management of human affairs, its desire to be the discovery of "what is" does reveal something important: that human beings wish their political institutions to reflect something true about the world. A legal or political order that comes to be seen by citizens as a lie, based on falsehoods, cannot sustain itself. This suggests a kind of paradox in the law that reflects a deeper paradox in human nature, one that Socrates formulates in the *Republic* as the notion that it is "the nature of acting to attain to less truth than speaking."<sup>43</sup> How the organization of human communal life both does and does not reflect the truth about human being is thus a central, though often invisible, question of legal philosophy.

## II

The question of the relationship between the respective claims of law and philosophy is indirectly recognized by the companion. It is indirectly recognized since the specific problem is not mentioned, but

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<sup>41</sup> *Republic* 514a–515d.

<sup>42</sup> Strauss, "On the *Minos*," 70, and compare Hathaway and Houlgate, "The Platonic *Minos*," 109.

<sup>43</sup> *Republic* 473a1–3.



this is not surprising given the companion's perspective. Indeed, he does put the right or natural question at this stage of the inquiry. In doing so, he further reveals the problematic claims of law: "How is it then, Socrates, if law is the discovery of what is, that we do not always use the same laws with respect to the same things, if the things that are have really been discovered by us?"<sup>44</sup> This question leads to the dramatic climax of the dialogue. It is an obvious and perennial objection to the idea of natural right.<sup>45</sup> Socrates concedes that people in all times and places are "not able to discover what the law wishes."<sup>46</sup> More striking, however, he does not simply accept that peoples do not always use the same laws.

In giving specific examples, the companion appeals to the shocking phenomenon of human sacrifice: "While among us it is not the law (*ou nomos*) to sacrifice human beings, but rather is impious (*anosion*), the Carthaginians do so sacrifice as pious (*hosion*) and lawful (*nomimon*) for them."<sup>47</sup> Not only do they sacrifice human beings, but their own sons in honor of and in imitation of Kronos,<sup>48</sup> who ate his children in an attempt to prevent the fulfillment of a prophesy that they would overthrow him. Kronos missed one child, of course, through the wiles of his wife, Rhea, and that child, Zeus, went on to fulfill the prophecy.<sup>49</sup> Moreover, human sacrifice is not confined to barbarians. The Greek peoples of Lycaea<sup>50</sup> and the descendants of Athamas also practice such things.<sup>51</sup> The companion adds to his case by pointing out that Athens itself has changed its laws over time: burial customs are different than they were in the past. He concludes emphatically: "Someone could tell of ten thousand such things; for there is much room for a demonstration that neither we ourselves nor humankind always lawfully accept (*nomizomen*) the same things."<sup>52</sup>

<sup>44</sup> *Minos* 315a4–6.

<sup>45</sup> Aristotle, *Nicomachean Ethics* 1.3.1094b14–16; 5.7.1134b24–7; compare Plato, *Republic* 338e6–339a4.

<sup>46</sup> *Minos* 315b1–2.

<sup>47</sup> *Minos* 315b8–c1.

<sup>48</sup> Diodorus of Sicily 20.14.

<sup>49</sup> Hesiod, *Theogony* 453–721.

<sup>50</sup> See Plato, *Republic* 565d; Pausanias 8.2.1–2, 6.8.2; and Apollodorus 3.7.1.

<sup>51</sup> Herodotus 7.197; and compare Pausanias 1.44.2, 9.34.4–5 and Apollodorus 1.7.3, 3.4.3.

<sup>52</sup> *Minos* 315d2–5.





What do these examples mean? Human sacrifice always seems a reminder of the extremes of human savagery and superstition and is usually shrouded in the misty past by most cultures that have practiced it. It is often put forward as evidence of moral relativity.<sup>53</sup> When the companion says that the Athenian laws have changed over time, he does not mention the fact that Athenians themselves, according to well-known legends, practiced human sacrifice—on at least one occasion. No less a figure than the legendary king, Erechtheus, said to be a son of Athena, and honored with her as a hero of Athens,<sup>54</sup> was reputed to have sacrificed his youngest daughter after the Delphic Oracle indicated that this was the only way that Athens could fend off an attack by the Eleusinians.<sup>55</sup> The sacrifice was celebrated in Euripides' lost play, *Erechtheus*, and perhaps on the frieze of the Parthenon itself.<sup>56</sup> One of the extant fragments of Euripides' play is from a speech by Erechtheus' wife, Praxithea, who willingly yields up her daughter to the sacrifice. She does this because the loss of a daughter seems a just price to pay for the preservation of the city. Her speech is filled with references to the priority of the city and the common over her own things. She says that she would willingly send a son into battle to defend the city, so why not see a daughter sacrificed to the same end? "I hate those women who prefer the lives of their sons to their glory, and so advise cowardice."<sup>57</sup> The theme is essentially that of Euripides' surviving play, *Iphigeneia at Aulis*. There, Agamemnon, in command of the Achaian host, is unable to launch the great invasion of Troy for want of wind to propel his armada. The seer, Kalchas, has

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<sup>53</sup> See for instance Aristotle, *Nicomachean Ethics* 7.5.1148b19–24; Locke, *Essay Concerning Human Understanding*, ed. Peter H. Nidditch (1960; Oxford: Clarendon Press, 1975), bk. 1, chap. 3, sec. 9.

<sup>54</sup> See Homer *Iliad* 2.547–9 and discussion in Robert Parker, "Myths of early Athens" in *Interpretations of Greek Mythology*, ed. Jan Bremmer (Totowa, N.J.: Barnes and Noble, 1986), 187–214. The importance of this myth in Athenian civic identity is attested in Lycurgus, *Against Leocrates*, 101 and Demosthenes 60.27.

<sup>55</sup> Apollodorus 3.15.4.

<sup>56</sup> Joan Breton Connelly, "Parthenon and *Parthenoi*: A Mythological Interpretation of the Parthenon Frieze," *American Journal of Archaeology* 100 (1996): 53–80. Connelly's hypothesis is not shared by most classicists, who support the traditional view that the frieze depicts the procession of the annual Panathenaic Festival. See Jenifer Neils, *The Parthenon Frieze* (Cambridge: Cambridge University Press, 2001), especially 178–80.

<sup>57</sup> Euripides, *Erechtheus*, frag. 50, ll. 30–1, in *Nova Fragmenta Euripidea*, ed. Colin Austin (Berlin: Walter de Gruyter, 1968), 27.



told him that the fleet will only have proper sailing weather if Agamemnon's daughter, Iphigeneia, is sacrificed to Artemis. Iphigeneia resolves to die willingly for the glory of Hellas. In her principal speech, she tells her grief-stricken mother, Clytemnestra, "You bore me for the community of all Hellenes, not for yourself alone."<sup>58</sup>

In both cases a child is sacrificed for the common good, indeed, the very preservation of the city. Most importantly, explicit comparison is also made to the analogous sacrifice of those men who go willingly into battle in defense of the city, a theme which is clear in the *epitaphios logos*, the legally required speech given each year over those Athenians who had died in battle.<sup>59</sup> The most famous example is that of Pericles as reported by Thucydides.<sup>60</sup> Pericles appeals to the Athenians willingly to sacrifice for the common good (*koinē*) and urges the grieving mothers to find solace in the possibility of having yet more children and in the honor due to the parents of brave children fallen in defense of the city.<sup>61</sup> The theme of the free choice of death in defense of the common good appears in all of the other *epitaphioi* which have been preserved.<sup>62</sup> One of those speeches, that of Demosthenes, actually refers to the Athenians as "children of Erechtheus" and celebrates the "deathless glory" won by Erechtheus' daughters after their voluntary self-sacrifice.<sup>63</sup> It is of the essence of the city that it demands sacrifice of the personal to the common, even unto death, even unto the death of one's own children. In this respect at least, all cities resemble one another more than they differ. It is also worth noting that the customs related to sacrifice, as well as those related to burial, are religious in nature. In the *polis*, religion is inseparable from the city itself.<sup>64</sup> The city is a religious unit and the preservation of the city is not

<sup>58</sup> Euripides, *Iphigeneia at Aulis* 1386.

<sup>59</sup> On the nature and place of the *epitaphios logos* in Athenian political culture see Nicole Loraux, *The Invention of Athens: The Funeral Oration in the Classical City*, trans. Alan Sheridan (Cambridge: Harvard University Press, 1986).

<sup>60</sup> Thucydides 2.35–46.

<sup>61</sup> Thucydides 2.43, 44.

<sup>62</sup> Plato, *Menexenus* 246d2–3; Lysias 2.24, 79; Hyperides 6.40; Demosthenes 60.27; Gorgias, frag. 6 (Diels and Kranz); and compare Isocrates 6.109. This element of the speech is discussed in Loraux, *The Invention of Athens*, chap. 2, especially 98–118.

<sup>63</sup> Demosthenes 60.27.

<sup>64</sup> See for instance Christiane Sourvinou-Inwood, "What is Polis Religion," in Murray and Price, *The Greek City*, 295–322; Louise Bruit Zaidman and Pauline Schmitt Pantel, *La religion grecque* (Paris: Armand Colin, 1989), 47–79; Jean-Pierre Vernant, *Religion en grèce ancienne* (Paris: Éditions du Seuil, 1990), 55 and following.



only a secular, but also a religious necessity. In all of the cases mentioned above, the human sacrifices, both the explicit sacrifices of young women and the analogous sacrifices of many more young men conscripted into the city's arms, are required to save the city.<sup>65</sup>

The appearance of human sacrifice in the discussion reminds us of just what is at stake in politics. It is a theme that will occur again later. For the moment it is important to notice that even given the importance of the considerations just suggested, Socrates declines to offer an alternative account. Indeed, his response to the companion is limited to a request that he stop making long speeches and pursue an inquiry in common which itself may produce agreement. This suggests that Socrates is not so much interested in arguing the impossible thesis that laws are all the same, as in changing the terms of the discussion. Or, more precisely, he wishes to succeed in leading the companion to where he has failed to lead him thus far, that is, from the passive perspective of a citizen to the active perspective of a legislator. He begins to do this by offering a striking analogy illustrative of the art of lawgiving.

Socrates begins by inducing the companion's assent to the proposition that the just things are just and the unjust things unjust and that this is believed/accepted (*nomizetai*)<sup>66</sup> everywhere, even among the Persians, and at all times. This is so in the same way that people believe heavier objects weigh more than light ones in all places and times, including in Carthage and Lycaea. Now, and this is somewhat more substantive, it is also the case that the noble things are accepted (*nomizetai*) as noble (*kala*) and the shameful things as shameful (*aischra*). Finally, only things that *are* are accepted (*nomizetai*) as being, not those that are not. One who errs about "what is" errs also about the legal. The companion accepts all of this but still cannot see how it answers the fundamental problem that laws are different in different places and times. The problem is that "we never stop changing laws" (*metatithemenoi tous nomous*).<sup>67</sup> The great reality of the legal/conventional/belief-driven world is change.

Socrates responds: "Perhaps . . . you do not reflect that these things, being moved about like pieces on a game board (*meta-*

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<sup>65</sup> See, generally, Kearns, "Saving the City."

<sup>66</sup> See above, n. 16.

<sup>67</sup> *Minos* 316c3-4.



*petteuomena*), are the same."<sup>68</sup> The verb *metapetteuô* is derived from *petteia* (or *pesseia*), the generic name for a number of Greek games played with a board and game pieces (*pettoi*). We do not know the rules of such games, though references in Greek literature suggest versions not unlike checkers, chess, or backgammon.<sup>69</sup> The game is a metaphor that occurs in other important discussions of Plato and Aristotle. In several places *petteia* is mentioned simply as an example of games of skill, though it is sometimes also numbered among the arts (*technai*).<sup>70</sup> More revealing are those references to it as a kind of analogue of dialectic or rational argument more generally. The point of the analogy seems to be that pieces (*pettoi* or *psêphoi*) can be deployed or removed in the way that arguments (*logoi*) can in conversation.<sup>71</sup>

In the present context, the most relevant references are those in the *Laws* and *Statesman* that seem to analogize law to *petteia* in its specifically architectonic aspect. At one point in the *Statesman*, *pesseia* is referred to as an art and compared to the political art. Later reference is made to learning how to play the game through writings, an indication that there were manuals of some kind.<sup>72</sup> In the fifth book of the *Laws*, *petteia* is mentioned in one of the most important passages in the dialogue. The Athenian stranger is discussing the aims of the city in speech that he is constructing with his two interlocutors, Megillos, a Spartan, and Kleinias, a Kretan from the city of Knossos. The Athenian has been discussing the size and citizenry of the proposed city. After stating that there is no greater good for the city than that the citizens be well known to one another, he abruptly says:

The next move in establishing laws is like that made by one playing *petteia*, who abandons his "sacred line," and because it is unexpected, it may seem amazing to the one who hears it at first. But anyone who uses his reason and experience will recognize that a second-best city is to be constructed. Perhaps someone would not accept this because he is unfamiliar with a lawgiver who is not a tyrant. But the most correct procedure is to state what the best regime is, and the second, and the third,

<sup>68</sup> *Minos* 316c1-2.

<sup>69</sup> R. G. Austin, "Greek Board-Games," *Antiquity* 14 (1940): 257-71.

<sup>70</sup> For examples of the former type see *Republic* 333b, *Statesman* 292e, *Charmides* 174b, and *Alcibiades I* 110e. For examples of the latter, see *Statesman* 299e, *Gorgias* 450d, *Phaedrus* 274d.

<sup>71</sup> See *Republic* 487b, *Hipparchus* 229e, and compare *Gorgias* 450d.

<sup>72</sup> *Statesman* 292e, 299e.



and after stating this to give the choice among them to whoever is to be in charge of the founding.<sup>73</sup>

Here the founding of the city through legislation is compared to the game. The object of lawgiving is guided by the laws of the best regime simply. As the Athenian goes on to explain, the best regime is the one in which everything is common to the citizens, particularly property, since in this way the city can achieve maximum unity. The ideal seems quite like that of the *Republic*.<sup>74</sup> But here the Athenian seems to urge the founder to aim for something lower, to abandon his “sacred line” by devising a second and even third best regime. This is a kind of strategic move, a compromise intended to secure the object of the game more surely. Lawmaking is like moving the pieces in a game. The choices and changes one makes occur within a context that is stable. Lawmaking is not like creation; or rather, it is not like creation *ex nihilo*. This image is reinforced by a passage in the tenth book of the *Laws* in which a god is compared to one playing *petteia*. He exercises a certain choice in his supervision of human beings, but that choice is bounded by matters that are fixed.<sup>75</sup> Indeed, the entire conversation between the Athenian stranger and his two companions is referred to as a game (*paidia*).<sup>76</sup>

To recapitulate: Socrates’ definition of law as “wishing to be the discovery of that which is” seems to fly in the face of the obvious fact that people use different laws in different places and change their own laws. This is just as true of Athens as it is of any other city. The companion’s major piece of evidence for his objection is the striking case of human sacrifice. While one might see the presence or absence of human sacrifice as a major index of civilization, the purpose behind it—saving the city—is never abandoned or repudiated. Indeed, if one sees human sacrifice for the purpose of saving cities in a wider context (and Attic tragedy did just that), one soon confronts the perennial human fact of war, itself a kind of human sacrifice. Where human sacrifice seems at first to separate some cities from others, it really highlights a way in which all cities are alike: they are a limit, a horizon for human moral life. The city is ultimate, and its defense is the defense

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<sup>73</sup> *Laws* 739a1–b1.

<sup>74</sup> *Republic* 423e, 462a–d, 464c–e.

<sup>75</sup> *Laws* 903d.

<sup>76</sup> See *Laws* 685a, 769a, and compare 723e.



of humanity itself. We may recall Aristotle's famous statement that outside of the city, man is either beast or god.<sup>77</sup> Apropos of the image of lawmaking as a board game, we may also recall Aristotle's image of a man without a city as an "isolated piece in a game of *petteia*."<sup>78</sup> The city is, from a human perspective, terrifically valuable and thus can demand the ultimate sacrifice, since it is the necessary condition for human flourishing. Within the order of the city, however, a variety of choices are possible. Laws can be organized in different ways to achieve the goods proper to the city. But there are limits. Those limits are imposed by nature, by the human situation in its fullness. Law is a tool, an art, with which human beings create a world within the world that they do not create, the world given by nature. As such, it is bounded by nature and related to it in such a way that one might plausibly conclude that it can be called the discovery of what is, a *nexis*, as it were, of fact and value.

### III

Having established this point, Socrates begins a series of questions that leads the discussion to its source in the person of the law-giver or founder. He asks if the companion has ever encountered a "writing" (*suggramma*) about the healing of the sick.<sup>79</sup> Such a writing belongs to the art (*technê*) of medicine, and doctors have knowledge (*epistêmê*) of such things. Moreover, Socrates continues, all those who have knowledge of a thing accept (*nomizô*) the same things about it, and this is just as true between Greeks and barbarians as it is among Greeks and at all times, provided that there really is knowledge.<sup>80</sup> When doctors write about healing, they write what they accept as being so (*nomizousin einai*). Such writings are "medical and medical laws" (*iatrika kai iatrikoi nomoi*).<sup>81</sup> Here then laws are a kind of

<sup>77</sup> *Politics* 1.2.1253a3–4, 27–9.

<sup>78</sup> *Politics* 1.2.1253a6–7. There was evidently a version of *petteia* called "*polis*." See *Republic* 422e, and note in James Adam, *The Republic of Plato*, 2d ed., vol. 2 (Cambridge: Cambridge University Press, 1963), ad loc. On the specifically political aspects of the game see Leslie Kurke, "Ancient Greek Board Games and How to Play Them," *Classical Philology* 94 (1999): 247–67.

<sup>79</sup> *Minos* 316c5.

<sup>80</sup> *Minos* 316c3–d8.

<sup>81</sup> *Minos* 316e1–3.



“writing” that communicates knowledge of an art. Law is thus understood quite broadly here, although not at all inconsistently with Socrates’ definition of it as “wishing to be the discovery of what is.” But there is no necessary connection to the city. Nor is there any distinction here between law understood in the usual sense and what one might call counsel.<sup>82</sup> That is, Socrates seems to abstract from the coercive character of much law. Here again law looks a lot like philosophy.<sup>83</sup>

Socrates goes on to extend this idea into several other areas beyond the art of medicine. There are also agricultural laws, gardening laws, and cooking laws. In each case he has in mind writings that communicate knowledge of an art. In the last two cases, those of gardening and cooking, he refers to the artist as one who “rules” (*archein*)<sup>84</sup> the object of the art: gardeners rule over gardens and cooks rule over the preparation of food. Such rulers, when they record their knowledge of ruling, produce writings that can also be called laws. Finally, this analogy is extended to the city: the writings and customs concerning the organization of cities (*peri poleōs dioikêseōs suggrammata te kai nomima*) belong to those who know how to rule a city (*tôn epistamenôn poleôn archein*).<sup>85</sup> Such knowledge is possessed by politicians (*politikoi*) and kings (*basilikoi*); thus, “those things that human beings call laws are political writings, writings of kings and good men (*basileôn te kai andrôn agathôn suggrammata*).<sup>86</sup>

There is a subtle shift here between the writings of politicians and kings to that of kings and good men. There are arts of medicine, agriculture, gardening, and cooking, and one who possesses the art is qualified to give “laws” on the subject. While politics appears to be like this initially—the politicians and kings are practitioners—the addition of “good men” muddies the waters a bit. One could see good men as constituting a subcategory of politicians and kings or as

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<sup>82</sup> Consider, for example, Aristotle *Nicomachean Ethics* 10.9.1179b4–1180b28; St. Thomas Aquinas, *Summa theologiae* I–II, q. 90, a. 3, ad 2 and q. 92, a. 2, ad 2; Thomas Hobbes, *Leviathan*, ed. Richard Tuck (1651; Cambridge: Cambridge University Press, 1991), chap. 26; John Austin, *The Province of Jurisprudence Determined*, ed. H. L. A. Hart (1832; London: Weidenfeld and Nicholson, 1954), 257.

<sup>83</sup> Compare Hathaway and Houlgate, “The Platonic *Minos*,” 110–11.

<sup>84</sup> *Minos* 316e14, 24.

<sup>85</sup> *Minos* 317a4–6.

<sup>86</sup> *Minos* 317a11–13. Compare *Republic* 347a–d.



broadening the category of lawgiver to include good men who do not directly participate in rule. In either case, Socrates introduces into the discussion a certain ambiguity about who is qualified to legislate. Such men, he adds, who have knowledge will agree with one another and will not change their laws. If they do change laws, they will be seen as not really having knowledge. But more importantly, correct (*orthos*) laws will be recognized as legal/customary (*nomimos*) in a given case, and, *mutatis mutandis*, incorrect laws "we will no longer declare to be legal."<sup>87</sup> Socrates concludes:

Therefore in those writings concerning the just and the unjust things and in general about the ordering (*diakosmêseôs*) of the city and about how a city should be administered (*dioikein*), what is correct is kingly law, while what is not correct—what seems to be law to those who do not know—is not, for it is lawless (*anomon*).<sup>88</sup>

The companion agrees and Socrates responds that they were then correct in agreeing that law is the discovery of "what is." Here we arrive at the strongest reason to see in the *Minos* the origins of natural law theory. In Socrates' formulation, laws that are incorrect with respect to the just and unjust things, that is, laws at variance with "what is," are held not to be "kingly law," but rather "lawless." *Lex iniusta non est lex*? The claim would seem to be pretty close to that traditional formulation, so long as one takes it to mean that unjust laws lack what Aquinas called the "force" or "reason" of law (*virtus legis, vis et ratio- nis legis*), and by which he means that unjust laws, lacking a rational relationship to the common good, lose their claim on our obedience (*virtutem obligandi non habet*).<sup>89</sup> It does not imply what the traditional formulation has sometimes been taken to imply, namely, that

<sup>87</sup> *Minos* 317c1–2.

<sup>88</sup> *Minos* 317c6–10.

<sup>89</sup> The phrase *lex iniusta non est lex* is a canonical one in legal philosophy. While often attributed to Augustine and/or Aquinas, this formulation is found nowhere in their works, as pointed out by Norman Kretzmann, "*Lex Iniusta Non Est Lex: Laws on Trial in Aquinas' Court of Conscience*," *American Journal of Jurisprudence* 33 (1988): 102–7. The closest statements are in Augustine's *On Free Choice of the Will* 1.5.11, and Aquinas, *Summa theologiae* I–II, q. 95, a. 2, and q. 96, aa. 4, 6, to which the references to Aquinas in the text accompanying this note refer. There are similar earlier formulations in Xenophon, *Memorabilia* 4.4.12, Plato, *Hippias Major* 284e, *Laws* 715b, and Cicero, *On Laws* 2.5.11.



unjust laws either do not exist or have no political relevance.<sup>90</sup> Nor does Socrates' statement in the *Minos* mean this.

By comparing law to other "writings" that aim to instruct one in an art, Socrates suggests that laws are the product of one who knows, one who could rule human beings because of his knowledge of cities and, ultimately, of the soul. We will see more about this below. For now, suffice it to say that law, like other technical writings, is vitiated to the extent that it is based on what is false or mistaken. Law aims to produce happiness for cities. To the extent it does not do this, but produces the opposite, it is lawless, *anomos*: it literally lacks the character of law as a writing designed to bring about the happiness or flourishing of a city. Aristotle later stated this in a different way: laws command one to perform the acts of a brave, moderate, and good-tempered man "and likewise with respect to the other virtues . . . commanding some acts and forbidding others; and when rightly (*orthôs*) framed does this rightly, and when hastily framed does it less well."<sup>91</sup>

Socrates asks who has knowledge (*epistêmôn*) of distributing (*dianeimai*) seeds on the earth.<sup>92</sup> The answer is the farmer, who distributes worthy seeds on all parts of the earth. Since the farmer is a good distributor (*nomeus*) of seeds, the laws and distributions he makes are correct. The same is true for the good distributor of musical notes for the aulos and the one who distributes food to the bodies of humans, the trainer. Such a man is good at "pasturing" (*nemein*) the human herd with respect to the body as the shepherd is the law-giver for sheep and the cowherd for cattle. Socrates then abruptly asks: "And whose laws are best for the souls of humans? Are they not

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<sup>90</sup> For instance, Austin, *The Province of Jurisprudence Determined*, 184–5; Grote, *Plato*, 88, 91–2; Hall, "Plato's Legal Philosophy," 199; Arthur C. Danto, "Human Nature and Natural Law," in *Law and Philosophy*, ed. Sidney Hook (New York: New York University Press, 1964), 187. On the whole issue see John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980), 351–68, which is much the best account. Hathaway and Houlgate, 111–12, have a more subtle interpretation.

<sup>91</sup> *Nicomachean Ethics* 5.1.1129b19–25.

<sup>92</sup> Thomas Pangle points out in his translation of the *Minos* that the roots of both *nomos*, "law," and *dianeimai*, "distributing" is the same (*nem-*) and originally referred to assigning pasture to herds. The notion of distribution generally seems central to law. See *Roots of Political Philosophy*, 60 n. 12, citing Emmanuel Laroche, *Histoire de la racine NEM en Grec ancien* (Paris: Klincksieck, 1949). Laroche's discussion of *nomos* is on pp. 184–97.



those of the king? Say it."<sup>93</sup> The companion concedes that this is indeed so.

Rather than simply continue to discuss kingly law, Socrates steps back and asks the companion if he knows who among the ancients became a good lawgiver (*nomothetês*) with respect to the art of playing the aolos. Without waiting for an answer he reminds the companion that it was Marsyas, a satyr. Having become expert at playing the aolos, Marsyas is said to have challenged Apollo to a musical duel, in which the victor could do anything he wished to the vanquished. Marsyas lost and was flayed alive by the god.<sup>94</sup> Marsyas' tunes were, Socrates says, "most divine" (*theiotata*), and "they alone move and reveal those who are in the thrall of the gods and they alone remain as being divine."<sup>95</sup>

Socrates himself was compared not only to a silenus or satyr, but specifically to Marsyas, by Alcibiades in the *Symposium*. After barging into the party at Agathon's house, Alcibiades compares Socrates to a statue of a Silenus split down the middle and filled with beautiful statues of gods. He draws a contrast between Socrates' external silenus or satyrlike appearance (ugly, mischievous, and lustful) and his divine inside. Then, suggesting that Socrates's similarity to a satyr is more than just appearance, he says that Socrates is hubristic like Marsyas, but even more extraordinary since his "spells" and "songs" require no instruments, as those of Marsyas did: "they alone can possess and make manifest those who have need of the gods and initiation through their being divine."<sup>96</sup> When Socrates speaks "we are all possessed" (*katechometha*).<sup>97</sup> When Alcibiades hears Socrates he feels ashamed about the way he lives, but he does not change. His attempt to seduce Socrates proves that the latter's satyrlike image is not the truth about Socrates: inside him are the "figures of excellence" (*agalmat aretês*).<sup>98</sup> The point of the comparison is in fact a point of contrast in many respects. Why is Marsyas offered as an example by Socrates in the *Minos*?

<sup>93</sup> *Minos* 318a12–13.

<sup>94</sup> *Republic* 399e; Apollodorus 1.24; Pausanias 1.24.1.

<sup>95</sup> *Minos* 318b8–10.

<sup>96</sup> *Symposium* 215c5–6.

<sup>97</sup> *Symposium* 215d2–6.

<sup>98</sup> *Symposium* 222a4.



Satyrs are beastlike creatures frequently portrayed as part horse or goat and giving free reign to prodigious sexual appetites. They seem, on reflection, to be the very picture of lawlessness. What Marsyas did have, we learn from both Socrates and Alcibiades, was a power to enchant through music. Socrates had this power through words alone. His power came from the beautiful images or statues of virtue within him, images that occasionally show themselves directly.<sup>99</sup> Could such a power affect an entire city? Socrates, of course, does not engage in political activity, or, at least, not in the conventional way, as Alcibiades does.<sup>100</sup> Socrates' introduction of Marsyas into the dialogue can be seen as a kind of ironic self-reference. He uses Marsyas to make a point about philosophy as a kind of measure, but one whose effect is limited.

The companion does not seem to be an ironic man and does not know much about satyrs: he cannot answer Socrates' question about the lawgiver for aulos-playing and must be told that it is Marsyas.<sup>101</sup> Marsyas' enchanting songs remain as do Socrates' enchanting *logoi*, through the medium of Plato's dialogues, the latter a possible initiation into philosophy.<sup>102</sup>

But why introduce this comparison in a discussion of lawgiving? There is perhaps a less felicitous similarity between Socrates and Marsyas. The satyr was flayed alive for mounting an unsuccessful challenge to Apollo. Socrates suffered a similar fate at the hands of the Athenians after having been convicted of violating Athenian law. That violation, of course, consisted in using his powers of enchantment to make the weaker *logos* the stronger, to corrupt the young. Moreover, he was accused of not believing in the gods that the city believed in.<sup>103</sup> Marsyas and Socrates could both be seen as hubristic in their challenge to a god. Marsyas is held up as an exemplary lawgiver, and his untoward end is politely ignored.

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<sup>99</sup> *Symposium* 216e7–217a2.

<sup>100</sup> See *Gorgias* 521d6–8 and *Apology* 29d–31b.

<sup>101</sup> *Minos* 318b1–4.

<sup>102</sup> Compare Elizabeth Belfiore, "Elenchus, Epode, and Magic: Socrates as Silenus," *Phoenix* 34 (1980): 128–37, especially 134, 136–7.

<sup>103</sup> *Apology* 24b8–c1, and compare Diogenes Laertius 2.40; Xenophon, *Memorabilia* 1.1.1; Plato, *Euthyphro* 2c2–8; *Apology* 18b7–c3, 19b4–c1.



## IV

Socrates now returns to the king as pasturer of the human herd. Having made his point about Marsyas, he asks who among the ancient kings is said to have become a good lawgiver "whose legal customs (*nomima*) remain even now, as being divine."<sup>104</sup> The companion, again, does not know the answer to Socrates' question. He offers that it is the Lacedaimonian laws attributed to Lykourgos, but Socrates reminds him that these laws are barely three hundred years old and that, moreover, they are derivative of an earlier legal order. The companion does recognize this claim that the Lacedaimonian laws are based on those of Krete.<sup>105</sup> The Kretans use the "most ancient laws among the Greeks."<sup>106</sup> Marsyas made *nomoi* (notes) into *nomoi* (laws). Socrates never was able to translate his *logoi* into *nomoi*. He is made to suggest, however, how this might happen in the *Republic*, and a detailed scenario for how this might be done is presented in Plato's *Laws*, a dialogue in which Socrates is not present.

Socrates tells the companion that those laws were authored by Minos and Rhadamanthus, the sons of Zeus and Europa.<sup>107</sup> The companion responds that, while "they say" that Rhadamanthus was a just man, Minos was savage (*agrios*), harsh (*chalepos*), and unjust (*adikos*).<sup>108</sup> Socrates answers that the companion is telling a myth from Attic tragedy. He holds that Homer and Hesiod are more trustworthy than all the tragic poets, and those epic poets report that Minos was educated directly by Zeus and legislated for Krete on the basis of this

<sup>104</sup> *Minos* 318c3-4.

<sup>105</sup> The Kretans and Spartans were certainly both descendents of the Dorian invaders who swept through Hellas during the Greek dark ages, as reported by Thucydides 1.12.3-4, 18.1. For a modern discussion see N. G. L. Hammond's article in *The Cambridge Ancient History*, 3d ed., vol. 2, pt. 2 (Cambridge: Cambridge University Press, 1975), 681-712. Several ancient sources also hold that Sparta's lawgiver, Lycurgus, traveled to Krete and studied their laws and institutions, bringing some back to Sparta. See Herodotus 1.65; Strabo, *Geography* 10.4.17, 19; and Plutarch, *Lycurgus* 4.1-2. Moreover, other sources testify to a widespread belief that Spartan and Kretan institutions were related to one another. For example, at *Laws* 683a1-2, Plato has the Athenian stranger remark that Sparta and Krete were founded correctly "by laws that were as brothers." Compare also *Crito* 52e, *Protagoras* 342d, *Republic* 544c, and Aristotle, *Politics* 2.10.1271b20-32.

<sup>106</sup> *Minos* 318d3-4.

<sup>107</sup> See *Iliad* 13.449, 14.321; *Odyssey* 11.568.

<sup>108</sup> *Minos* 318d10.



divine education.<sup>109</sup> Socrates opposes an epic tradition about Minos to the companion's Athenian tragic tradition. In fact, the story of Minos is even more complicated than this.

The companion's view of Minos is based on Attic tragedy. The source is most likely Euripides. In an extant fragment of the lost play, *Cretans*, Minos is said to have been a cannibal and practitioner of human sacrifice.<sup>110</sup> Human sacrifice has, of course already been mentioned. The companion offered it as evidence that everyone does not always use the same laws and thus as evidence against Socrates' thesis that the law "wishes to be the discovery of what is." Here it leads the companion to resist Socrates' statement that Minos was the greatest of lawgivers. Socrates rejects the tragic picture of Minos in favor of the epic picture. Socrates' invocation of epic against tragedy may seem odd here, given his critique of Homer in the tenth book of the *Republic*. However, the premise of Socrates' advocacy of the Kretan laws is his acceptance of an identification (for the moment) of the good with the old, and epic is older than tragedy.<sup>111</sup> What do the epic poets say about Minos?

Socrates quotes two lines from the *Odyssey* that refer to "Minos/[who] was king for nine-year periods, and conversed with great Zeus."<sup>112</sup> Socrates' quotation and discussion of this phrase is remarkable for its interpretation of the word rendered above as "conversed" (*oaristês*, from the verb, *oarizô*). The word usually means to "converse" or "chat" with, and thus carries an informal connotation. This is so much the case that Socrates reports that some interpret the word to mean that Minos was Zeus' "drinking companion" (*sumpotês*) or "playmate" (*sumpaistês*).<sup>113</sup> Socrates, however, holds that "conversed with" actually indicates that Minos was a student of Zeus and thus that Zeus was a sophist (*sophistês*) to Minos.<sup>114</sup> He also describes the relationship of Minos and Zeus as *sunousia*, which could

<sup>109</sup> *Minos* 318e2–4.

<sup>110</sup> See Austin, *Nova Fragmenta Euripidea*, frag. 82, p. 57.

<sup>111</sup> See *Laws* 658d.

<sup>112</sup> *Odyssey* 19.178–9. In reading *enneôros* as "for nine-year periods," I follow Richmond Lattimore's translation, *The Odyssey of Homer* (New York: Harper, 1975). The phrase is difficult. See H. L. Jones's discussion in *The Geography of Strabo* (Cambridge: Harvard University Press/Loeb Classical Library, 1928), 5:130–1 n. 3; compare Cairnes, "What is Law?" 207.

<sup>113</sup> *Minos* 319e6–7.

<sup>114</sup> *Minos* 319c3, 6.



be translated as "intimate association." This rendering connotes a closeness that can even be erotic.<sup>115</sup>

There is yet a third tradition about Minos that is instructive. The historians, Thucydides and Diodorus of Sicily, the geographer, Strabo, and the biographer, Plutarch, all present a different view of Minos. They see him as the founder of a maritime empire that pacified the Mediterranean and allowed civilization to flourish there. Thucydides writes that tradition tells that Minos was the first to acquire a navy, and that he used it to establish a colonial empire. He specifically mentions efforts by Minos to clear the Hellenic Sea of pirates. This made navigation safer, spurred the creation of wealth, and settled life on the surrounding coasts.<sup>116</sup> Diodorus of Sicily (first century B.C.) reports that the ground of the charge that Minos was a harsh enemy and a practitioner of human sacrifice was a war with Athens waged by Minos as revenge for the death of his son, Androgeos, in Attica. After the war, Minos demanded tribute of seven youths and maidens from the Athenians, which were fed to the Minotaur.<sup>117</sup> Diodorus, however, also writes that Minos was the oldest of three sons born to Zeus and Europê, the others being Rhadamnathus and Sarpedon. As oldest, Minos was given kingship over Crete and brought down laws from Zeus and forged a naval empire that subdued the neighboring islands.<sup>118</sup> The waters are somewhat muddled in Diodorus' account, as they are in Strabo's as well, since he also reports a different tradition about Minos that has him as the son of Lycastus and Idê, Lycastus having been the son of an earlier Minos, the son of Zeus and Itonê.<sup>119</sup>

Strabo (c. 64 B.C.–22 A.D.) also reports two conflicting traditions about Minos. He writes that Minos was the first master of the sea (*prôtos thalattokratêsai*) and a good or zealous lawgiver (*spoudaios nomothetês*), and that he emulated his uncle Rhadamanthus, who gave laws based on meetings with Zeus and thus civilized (*exêmerôsai*)

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<sup>115</sup> See the discussion of the relationship between education and pederasty in Kevin Robb, *Literacy and Paideia in Ancient Greece* (New York: Oxford University Press, 1994), 197–213. The term is used in a number of ways in Plato's *Laws*. Among the most interesting occur in the discussion of the nightly meeting (951e, 968c).

<sup>116</sup> Thucydides 1.4, 8; compare Herodotus 3.122.

<sup>117</sup> Diodorus of Sicily 4.61.

<sup>118</sup> Diodorus of Sicily 5.78.

<sup>119</sup> Diodorus of Sicily 4.60.



Crete. Strabo also reports that “old ones” (*hoi archaioi*) say that Minos was “tyrannical, violent, and an exactor of tribute.”<sup>120</sup> Which of these we should accept, Strabo writes, is “hard to say.”<sup>121</sup> Later, however, he writes that *both* Rhadamanthus and Minos brought forth laws to men “as if from Zeus” (*hōs para tou Dios*).<sup>122</sup> There is, then, a certain confusion about which Minos was which, but one of them, at any rate, was the Minos for whom Plato’s dialogue is named, and there are two views of him: one as a savage tyrant, and one as a great lawgiver, perhaps a founder of civilization in the Mediterranean basin.

Finally, Plutarch, the latest of all (first century A.D.), also records two traditions. First there is the tragic picture, attributed to Euripides, of Minos as sacrificer of youths to the Minotaur.<sup>123</sup> However, Plutarch also cites the demythologizing Attic historian, Philochorus (fourth–third century B.C.), to the effect that the Labyrinth was no more than a dungeon and that the Athenian youths were not sacrificed, but enslaved, and furthermore, that there was no Minotaur, but a general named Tauros, who won these slaves in the funeral games that Minos offered in honor of Androgeos.<sup>124</sup>

We have, then, three different strains in the Minos legend. One, associated with Attic tragedy, holds Minos to have been a harsh and tyrannical ruler who exacted a tribute from Athenians so terrible that it was never forgotten. We have another, associated with epic, that heaps on Minos the “amazing” and “hyperbolic”<sup>125</sup> praise that he was a student of great Zeus. Finally, we have a mixed picture of Minos associated with the historians. It draws on the tragic and epic elements but adds a third that is, one could say, distinctly historical. This concerns Minos’s establishment of naval power and consequent pacification or civilization of Crete and its surrounding islands. None of these elements need conflict with one another. They can all be seen to reveal truths not just about Minos, but about law and politics more generally. Minos was a founder of Knossos, and of a larger culture that

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<sup>120</sup> Strabo, *Geography* 10.4.8.

<sup>121</sup> Strabo, *Geography* 10.4.9.

<sup>122</sup> Strabo, *Geography* 10.5.19.

<sup>123</sup> Plutarch, *Theseus* 15.

<sup>124</sup> Plutarch, *Theseus* 16. Plutarch also cites Aristotle’s lost *Constitution of Bottiaea* in support of this view.

<sup>125</sup> *Minos* 319d1, 8.



we still associate with him: Minoan. He established the political preconditions of a civilization. Such an establishment is often harsh and perhaps even tyrannical. Moreover, it is often one that seems to occur in a moral vacuum, a vacuum perhaps made tolerable or intelligible by the tradition of divine inspiration.<sup>126</sup>

This moral vacuum was an important theme of early modern political philosophy. Indeed, it is perhaps the principal theme of Machiavelli's *The Prince*. One can see it in Hobbes's *Leviathan* as well. While Hobbes's account is largely devoted to a discussion of "commonwealth by institution," he makes it clear that the same consequences follow from "commonwealth by acquisition," which includes the same substantive rights of sovereignty and has the merit of historical plausibility.<sup>127</sup> Having laid out an essentially liberal justification of public and private law, Kant adds that no one should inquire into the origins of the supreme political authority with any practical aim.<sup>128</sup> This is a necessary caveat, since otherwise, the cleavage that immediately becomes clear when one compares Kant's account of the justification of political authority with actual historical examples would be a political scandal, much as early modern natural law theory was to European monarchies.<sup>129</sup> The typical modern strategy has been to ignore such questions as irrelevant, to subsume them under an abstract doctrine of sovereignty,<sup>130</sup> or to dispatch them with formal notions like Kelsen's "basic norm," which serves as a sort of moral place-

<sup>126</sup> See *Republic* 383c10–d3, 415a2–b6 with *Laws* 634d7–e4; compare 645b6–8 with 835c1–3.

<sup>127</sup> Hobbes, *Leviathan*, chap. 17.

<sup>128</sup> Immanuel Kant, *The Metaphysics of Morals*, trans. and ed. Mary J. Gregor, in *The Cambridge Edition of the Works of Immanuel Kant: Practical Philosophy* (Cambridge: Cambridge University Press, 1996), 461–3 (Ak. 6:318–19).

<sup>129</sup> Compare Hans Kelsen, *Reine Rechtslehre* (Vienna: Franz Deuticke, 1934), §8; Heinrich Rommen, *The Natural Law*, trans. T. R. Hanley (St. Louis: Herder, 1947), 8–9, 75–109; Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), 13–14.

<sup>130</sup> As in John Austin, *The Province of Jurisprudence Determined*, lect. 6. On the issue of sovereignty in modern political philosophy more generally see Francis Slade, "Rule as Sovereignty: The Universal and Homogeneous State," in *The Truthful and the Good: Essays in Honor of Robert Sokolowski*, ed. John J. Drummond and James G. Hart (Dordrecht: Kluwer, 1996), 159–80.



holder for questions concerning the justification of original political authority simply by preventing a *regressus ad infinitum*.<sup>131</sup>

Reflection on the Minos traditions reveals this liminal dimension of political morality, but notice how it is also immediately occluded. There are first the imitation of Minos' laws by the Lacedaimonians, the judgment that under these laws both Crete and Sparta are "made happy for all time" (*panta chronon eudaimonei*), and the reaffirmation of their divinity.<sup>132</sup> Minos' laws are not only those of Zeus, but they are recognized as sufficiently good as to be imitated by the Lacedaimonians, and they have made those who use them happy for all time. The emphasis here is on the divinity of the laws and their manifest success. This is supplemented by the addition of testimony from another epic poet, Hesiod, again subject to an unusual interpretation. Socrates quotes Hesiod describing Minos as one "who came to be the most kingly of mortal kings / and over the most human beings who dwelt around him / having the scepter of Zeus, by which he was king of cities."<sup>133</sup> Socrates then says that "when he speaks of the Scepter of

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<sup>131</sup> Hans Kelsen, *General Theory of Law and State*, trans. Anders Wedberg (Cambridge: Harvard University Press, 1946), 115: "To the question why a certain act of coercion—e.g., the fact that one individual deprives another individual of his freedom by putting him in jail—is a legal act, the answer is: because it has been prescribed by an individual norm, a judicial decision. To the question why this individual norm is valid as part of a definite legal order, the answer is: because it has been created in conformity with a criminal statute. This statute, finally, receives its validity from the constitution, since it has been established by the competent organ in the way the constitution prescribes.

"If we ask why the constitution is valid, perhaps we come upon an older constitution. Ultimately we reach some constitution that is first historically and that was laid down by an individual usurper or by some kind of assembly. The validity of the first constitution is the last presupposition, the final postulate, upon which the validity of all the norms of our legal order depends. It is *postulated* that one ought to behave as the individual, or the individuals, who laid down the first constitution have ordained. This is the basic norm of the legal order under consideration. The document which embodies the first constitution is a real constitution, a binding norm, only on the condition that *the basic norm is presupposed to be valid*" (emphasis added). One modern account that faces these issues squarely is Finnis, *Natural Law and Natural Rights*, 248–52.

<sup>132</sup> *Minos* 320b5–7.

<sup>133</sup> This quotation from Hesiod is otherwise unattributed. Souilhé, *Platon*, 101 n. 1, notes that it seems to be alluded to in Plutarch, *Theseus* 16; however, the *Minos* itself seems to me the most likely source of Plutarch's allusion.



Zeus this is nothing other than the education (*paideia*) from Zeus by which he governed Krete."<sup>134</sup> The scepter is a traditional symbol of royal authority, and the epithet "sceptered king" is a common one in Homer. The scepter is passed down from father to son and often said to be originally from the gods. So it clearly indicates a kind of divine mandate for kingship.<sup>135</sup> That mandate itself, however, is never related to education. It could be related to something like divine will or to a principle of legitimate succession of kingly authority or even to force. At an important point in the *Iliad*, Odysseus uses his own scepter to beat the complaining Thersites into silence. Indeed, Odysseus is said to use the scepter to silence common men who speak out of turn before kings.<sup>136</sup> There are, then, any number of plausible interpretations of the scepter as a symbol of royal authority. Education is not a traditional one.<sup>137</sup> The explanation for Minos' importance is not his strength or even his lineage: it is in his divine mandate and in his wisdom. The kind of happiness that laws make possible is the result of knowledge. Socrates concludes that the best evidence of the goodness of Minos' laws is the fact that they remain unchanged (*akinêtoi*), "since they belong to one who discovered well the truth about what is concerning the organization of cities."<sup>138</sup>

Thus, Socrates concludes, the Cretans have the oldest laws and their authors were, accordingly, the best lawgivers among the ancients. Minos' bad reputation is a result of his having made war on the Athenians, a city rich in poetry, especially tragedy, which Socrates refers to as the "most soul-leading" (*psuchagôgikôtaton*).<sup>139</sup> The perspective of tragedy is political and represents the perspective of the city. Its categories are often those of friend and enemy, rather than good and bad as such. Such categories were transcended by the founder of a regime like Minos, who "discovered well the truth of what is with respect to the organization of a city."<sup>140</sup> He had this in common with philosophy, and the recovery of that perspective is a task of the philosopher. It is not, however, an easy task or one that has a great

<sup>134</sup> *Minos* 320d5–6.

<sup>135</sup> M. I. Finley, *The World of Odysseus* (New York: Viking, 1954), 118–20.

<sup>136</sup> *Iliad* 2.199–271.

<sup>137</sup> Although there is additional evidence that this was Socrates's interpretation: Xenophon, *Memorabilia* 3.9.10.

<sup>138</sup> *Minos* 321b3–4.

<sup>139</sup> *Minos* 321a4.

<sup>140</sup> *Minos* 321b3–4.



chance of success. Socrates challenged the men of Athens not to care so much for wealth or power or honor, but rather to care that their souls be in as good a condition as possible.<sup>141</sup> His activities in this regard transcended the political and even more natural categories, since he behaved thus toward any man, whether citizen or foreigner, rich or poor, not even discriminating in favor of his own family.<sup>142</sup>

In the end, Socrates' activities remained a mystery to most of the Athenians. Perhaps they shared the perspective of the companion in the *Minos*. The dialogue's enigmatic conclusion sees Socrates ask the companion what things are distributed by a good lawgiver and pasturer of the body and answers his own question by proposing food and physical exertion. He then asks what things the good lawgiver and pasturer distributes to the soul to make it better. This time he lets the companion answer, but the answer is a confession of ignorance. Socrates responds that it is shameful (*aischron*) for either of them to be ignorant "of those things in [the soul] in which good and worthless inhere, while having investigated the things that pertain to the body and the rest."<sup>143</sup> While the companion declines to answer that final question, our consideration of Socrates in the *Apology* suggests two possibilities.

## V

In answering the charge that he is a corruptor of youth, Socrates asks Meletus, who makes young men better? Meletus' first answer, one about which he hesitates not a bit, is "the laws."<sup>144</sup> Socrates does not accept the answer and asks, who among human beings improves the young? Meletus then answers that it is the jurors, the men of Athens. This is the answer that Meletus' coprosecutor, Anytus, gave to Socrates when asked in the *Meno* to whom young men should be sent to learn virtue.<sup>145</sup> Socrates' elenctic critique of this statement led the exasperated Anytas to leave the discussion angry.<sup>146</sup> This may have

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<sup>141</sup> *Apology* 31b, 36c–e, 38a.

<sup>142</sup> *Apology* 23b, 30a, 31b–c, 33b, 41e.

<sup>143</sup> *Minos* 321d7.

<sup>144</sup> *Apology* 24d11.

<sup>145</sup> *Meno* 92e3–6.

<sup>146</sup> *Meno* 94e–95a.



been the proximate origin of the charge that Socrates was a corruptor of the young, the charge that led him to his courtroom encounter with Meletus.<sup>147</sup> This suggests one possible answer to the question Socrates poses to his companion in the *Minos*: the good lawgiver distributes to souls those goods that are most efficacious for souls, the virtues. But, of course, the central problem of the *Meno* concerns whether or not the virtues can be taught. While we cannot embark on a detailed discussion of the *Meno* here, it suffices to recall that Socrates suggests that if virtue is knowledge, it cannot simply be taught. In the aftermath of this realization, Socrates suggests, as a kind of second best alternative, true opinion (*alêthês doxa*). Since it is opinion, it is less stable and dependable than knowledge (*epistêmê*), but it can be more easily taught. Of course, if virtue is knowledge and true opinion is less than knowledge, it is less than true or complete virtue. This suggests a large thesis about the limits of education, but it also suggests a second possibility, that is, a connection among limited virtue, true opinion, and law. This complex is explored at length in Plato's great dialogue, the *Laws*.

In the *Laws*, a nameless Athenian philosopher engages two old men, a Spartan and a Kretan, in a conversation about "the regime and the laws."<sup>148</sup> Since he is a stranger, his interlocutors have no knowledge of his past and, perhaps, no experience at all of philosophy. All they know about him is that he is an Athenian, and, since they are well disposed toward Athens, they have no prejudice against the stranger or philosophy.<sup>149</sup> He engages them dialectically and offers to be of use when the Kretan, Kleinias, reveals that he is a member of a commission charged with drawing up a legal code for a new colony. He adroitly moves them to a position just philosophical enough that they are willing to speak freely about their regimes, to entertain the possibility that their laws could be better, and to consider the possible superiority of foreign institutions and practices. He even succeeds in

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<sup>147</sup> Compare *Statesman* 299b–c; Xenophon, *Apology* 29–31; Diogenes Laertius 2.38 with discussion in John Burnet, *Plato's Euthyphro, Apology of Socrates and Crito* (Oxford: Clarendon Press, 1924), 103–4; Reginald Hackforth, *The Composition of Plato's "Apology"* (Cambridge: Cambridge University Press, 1933), 76–9; Richard A. Bauman, *Political Trials in Ancient Greece* (London: Routledge, 1990), 107–15.

<sup>148</sup> *Laws* 625a6–7, 641d9; compare 686b8–c1.

<sup>149</sup> *Laws* 642b–643a.



securing their consent to a scheme which amounts to the institutionalization of philosophy in the proposed city.<sup>150</sup>

For present purposes, it suffices to point out just a few features of the political regime constructed in the *Laws*. First, that regime has as its purpose the inculcation of the virtues, indeed, of the “whole of virtue.” Nevertheless, as the account develops, this goal is tempered in two ways. First, it is diluted by the conclusion that the city actually has three goals: freedom, friendship, and prudence (which becomes a symbol of the virtues).<sup>151</sup> Second, in a discussion of the nature of education, the Athenian stranger distinguishes between prudence (*phronêsis*) and true opinion (*alêthês doxas*), suggesting the possibility that more people might possess the latter than the former.<sup>152</sup> In the same place, he distinguishes between virtue (*aretê*), which he describes as complete consonance between one’s feelings and reason, and the mere training of one’s passions so that one behaves rationally (that is, something less than complete consonance), which is called education (*paideia*). We have here two standards: virtue is the higher and education the lower. Both involve the correct ordering of the passions.<sup>153</sup> The city aims to produce education/true opinion (at least) and virtue/prudence (where it can), through the law’s distribution of praise and blame.<sup>154</sup> So one might say that the thing distributed by the lawgiver is law aiming for virtue, although what is literally being distributed is praise and blame, that is, the law distributes opinion about what is praiseworthy and blameworthy. Knowing that most people are motivated by pleasure and pain, the laws distribute praise and blame initially and, failing this, punishment.

The second large point to be made concerns the prospects for the sort of scheme described in the *Laws* (and it is a matter of great complexity, subtlety, and detail that we cannot treat here). The Athenian

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<sup>150</sup> I refer to the establishment of the nightly meeting (*nykterinos sullogos*) in the twelfth book of the *Laws*. See V. B. Lewis, “The Nocturnal Council and Platonic Political Philosophy,” *History of Political Thought* 19 (1998): 1–20.

<sup>151</sup> *Laws* 693b, c, e; 694b; 701d.

<sup>152</sup> *Laws* 653a.

<sup>153</sup> The distinction is not unlike Aristotle’s distinction between the virtuous man and the continent man in *Nicomachean Ethics* 7.1. While virtue is superior to continence, political order is possible with more continence than virtue, and the normal distribution of human types tends to yield more of the former than the latter.

<sup>154</sup> *Laws* 631d–632b.



stranger describes what the three interlocutors are doing in designing the city as a game or as play.<sup>155</sup> He also suggests, in what constitutes a kind of dramatic climax of the dialogue, that the kind of political activity they are discussing is not fully serious, that genuine seriousness is ordered to a kind of contemplation that the stranger associates with the gods.<sup>156</sup> Finally, at the end of the dialogue, the stranger describes any attempt to implement the plans discussed as a gamble, perhaps one whose success requires divine intervention.<sup>157</sup> The cumulative force of such passages is to suggest the uncertainty and precariousness of the founding enterprise, indeed, of any political project. Legislation is, the stranger suggests, a kind of art (*technê*), and like the other arts, it requires the artist to recognize and seize the "right moment" (*kairos*). But there is no guarantee of this. Chance (*tuchê*) is ineliminable.

Perhaps this is why the Athenian describes the city's regime as "the truest tragedy."<sup>158</sup> There is, however, another reason. The conversation among the three interlocutors is itself supposed to serve as an educational device in the city.<sup>159</sup> It is indeed a replacement for traditional educational texts like epic and tragedy. The founders of the city are themselves poets, literally "makers" of citizens. One of the most important vehicles for this education is the great novelty introduced into the legislative art by the *Laws*: the preludes (*prooimia*) that precede each law and aim to persuade and instruct citizens before simply punishing them.<sup>160</sup> My point is that the unanswered questions of the *Minos* are best approached from the perspective of the *Laws*. However, that perspective itself presupposes a consideration of the issues treated in the brief dialogue we have examined here.

## VI

I have tried to show that the *Minos* does not offer a theory of natural law, but neither does it argue against natural law. The *Minos*

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<sup>155</sup> *Laws* 685a, 769a.

<sup>156</sup> *Laws* 804b–c.

<sup>157</sup> *Laws* 968e–969a, compare 708d–709c, 752b.

<sup>158</sup> *Laws* 817b–c.

<sup>159</sup> *Laws* 811c–e, 957d–e.

<sup>160</sup> *Laws* 722c–723e.



rather contextualizes the philosophical question, "What is law?" in a complex web of problems, some of which are philosophical in the ordinary sense and some of which are more directly political. It does this in both its form and content. The form is that of the Socratic dialogue. The dialogue form has too often been overlooked by interpreters of the *Minos*. It provides a mechanism for showing the tensions and complexities surrounding the inquiry into the nature and purpose of law, by including the perspective of a citizen as well as that of the lawgiver and the philosopher. We not only have a philosophical inquiry but are reminded of the consequences of such inquiry practically by being reminded of the problematic relationship of philosophy and politics, and of law to its own origins.

I have made three large interpretive claims about the *Minos* that illuminate its purpose. First, the dialogue shows that law aims to reflect the truth but is limited in its ability to do this. The limitation is subtly suggested through the proposal that we compare it to philosophic inquiry itself. At the same time, the law, in order to be effective, must be seen to reflect some element of the truth about man. Second, one piece of evidence that is often submitted in opposition to the model of law as related to truth, the diversity of laws, is seen (a) to be a precondition of inquiry into natural right, and (b) ultimately to reveal what cities have in common and thus their relationship to the truth about human nature. Third, the entire inquiry is contextualized through the character of Minos, the lawgiver. This element manifests the origin of law in lawlessness. While this too is sometimes taken as evidence that justice and law are entirely conventional, it suggests here that law and political order are works of reason that aspire to truth, despite their limitations. The dialogue ends with the encouragement for the reader to inquire more deeply into the nature of law, justice, and the soul.

If the interpretation offered above is correct, we must conclude that the *Minos* is indeed an extraordinary document. It is a brief but subtle and complex work that points back to the *Apology* and the problem of Socrates, as well as forward to the *Laws*. Another way of stating this is to suggest that the *Minos* indicates the trajectory of Plato's political philosophy from an adequate understanding of the problem of Socrates (namely, the problem of the relationship of the philosopher and the city), to its solution. Moreover, it is this issue that constitutes the context in which the problem of natural right



must be understood. None of this proves decisively that the *Minos* was written by Plato. It does, however, suffice to show that the dialogue is a product of no small intellect. At a minimum, it is a work in the Socratic tradition, and not at all unworthy of that tradition's greatest exponent.

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## IN DEFENSE OF INTERNATIONAL ORDER: GROTIUS'S CRITIQUE OF MACHIAVELLISM

W. J. KORAB-KARPOWICZ

**H**UGO GROTIUS (1583–1645), Huigh de Groot in Dutch, lived during turbulent times in which politics mixed with religion. The emerging sovereign and mutually independent states of Europe were incessantly fighting over territorial, dynastic, and commercial matters, as well as over differences in religion. The Thirty Years War, arguably one of the most cruel and lawless wars in European history, broke out in 1618 as a result of religious quarrels. The sovereigns of Grotius's time did not consider themselves bound by international agreements, and they were rather unscrupulous in interpreting and applying them. They were thus followers of the doctrine of *raison d'état* and disciples of Niccolò Machiavelli, whose work *The Prince* taught them to break any treaty, when the advantages that had originally induced them to form it ceased to exist.

Machiavelli never used the phrase *ragione di stato* (reason of state) or its French equivalent, *raison d'état*. Nevertheless, the contention that, in order to maintain or protect the state, it is appropriate for a sovereign to engage in a morally reprehensible course of action, is central to his political theory. Under his influence, this view of international conduct became the main theme of an entire genre of sixteenth-century Italian political writings, the most notable contribution to which was Giovanni Botero's work *Ragione di Stato*.<sup>1</sup> It was, however, in seventeenth-century France, in the policies of Cardinal Richelieu aimed at the furthering of the Catholic faith and the benefit of the Christian state, and later in Germany, that Machiavellian political ideas came to prominence and contributed to a significant evolution of the doctrine of *raison d'état*. With the breakdown of the unity of western Christendom caused by the Reformation, the rise of the

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<sup>1</sup> Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 1 (Cambridge: Cambridge University Press, 1978), 248.

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modern state system, and the expanding secularization of European culture, this doctrine lost its preoccupation with any religious ends and deteriorated into a materialistic ability for calculating what was necessary for the interest of the state. Frederick the Great (who called Machiavelli the enemy of mankind but closely followed his advice) expressed this doctrine as, "princes are slaves to their resources, the interest of the state is their law, and this law is inviolable."<sup>2</sup> *Raison d'état* became the main principle of European interstate relations and served as a justification of the methods a number of statesmen felt obliged to affirm in their foreign policy practice.<sup>3</sup> These methods, outlined in *The Prince*, involved conquering either by force or fraud, destroying cities, putting to death anyone who could do harm, moving the inhabitants from one place to another, establishing colonies, replacing old institutions with new ones, and extending the territory and power of the state at the expense of rivals. The question of morality, in the sense of norms restraining states in their mutual relations, either did not arise or was subordinated to the competitive struggle for power.

What ultimately counted for Machiavelli were not moral scruples or norms, but *raison d'état*, whatever is good for the state. Machiavellism has become associated with a certain kind of political behavior in which expediency is placed above morality. This kind of behavior existed long before Machiavelli and was debated long before him by political philosophers. The arguments of the Athenian envoys presented in the "Melian Dialogue" by Thucydides, of Thrasymachus in Plato's *Republic*, and of Carneades, to whom Grotius refers, all furnish a great challenge to the classical view of the unity of politics and ethics. However, before Machiavelli, this amoral or immoral stream of thinking had never prevailed over the dominant political tradition of Western thought. It was only the Machiavellian justification of resorting to evil as a legitimate means of achieving certain political ends that persuaded so many thinkers and political practitioners after him.

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<sup>2</sup> On the influence of Machiavelli's thought on Frederick the Great and other statesmen, and on the development of the doctrine *raison d'état* by philosophers Fichte and Hegel, and German historians such as Leopold von Ranke and Heinrich von Treitschke, see Friedrich Meinecke, *Machiavellism: The Doctrine of Raison d'État in Modern History*, trans. Douglas Scott (New Brunswick, N.J.: Transaction Publishers, 1998).

<sup>3</sup> Greg Russell, *Hans J. Morgenthau and the Ethics of American Statecraft* (Baton Rouge: Louisiana State University Press, 1990), 9.



This justification was further carried on by the theorists of the doctrine of *raison d'état*. The tension between expediency and morality lost its validity in the sphere of politics. The concept of a double morality, private and public, was invented. Ethics was subjected to politics. The good of the state was interpreted as the highest moral value. National power was extended as a nation's right and duty. In the Marxist version of this doctrine, a superior type of morality was assigned to the revolutionary cause. In the name of such a "higher" morality, identified with the interest of the proletariat or of the state, grave crimes against humanity have been committed. Actions which employed violent, cruel, or otherwise customarily immoral means have been regarded as legitimate according to the exigencies of "progressive change."

In this article I present Grotius's argument against *raison d'état* and his defense of the rule of law in international relations. His major work, *De Jure Belli ac Pacis* (*On the Law of War and Peace*), does not contain any reference to the Florentine thinker. Nevertheless, it is principally against Machiavelli that Grotius directs his argument. He challenges the views of adherents of the doctrine of *raison d'état* who give rulers the license to disobey legal and moral norms whenever the vital interests of the state are at stake.

## I

*Grotius's Argument against Raison d'État.* Drawing our attention to the value of international law, Grotius writes, in the Prolegomena to *De Jure Belli ac Pacis*: "Many hold, in fact, that the standard of justice which they insist upon in the case of individuals within the state is inapplicable to a nation or the ruler of a nation."<sup>4</sup> He tells us that there are those who regard international law with contempt, "as having no reality except an empty name."<sup>5</sup> Such writers consider that for a state nothing is unjust which is expedient and that the conduct of foreign policy cannot be performed without injustice. Powerful states

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<sup>4</sup> Grotius, *De Jure Belli ac Pacis*, prol. §22. My citations are from the following translation of the Latin edition of 1646: Hugo Grotius, *De Jure Belli ac Pacis*, trans. Francis W. Kelsey (Washington, D.C.: Carnegie Endowment for International Peace, 1925).

<sup>5</sup> *De Jure*, prol. §3.



can afford to pursue their policies without regard to law and solely in the light of their own advantage. Grotius rejects these views. In humanist fashion, instead of directly attacking his contemporary opponents, he makes his argument against Carneades (215–129 B.C.), a natural law critic and a classical representative of the belief that in international politics nothing is unjust which is expedient.

Carneades' position can be summarized as follows. There is no universally valid natural law, discoverable by "right reason," which determines what is right and wrong. Natural law has no basis because all creatures, human beings and animals, are impelled by nature to pursue ends advantageous for themselves.<sup>6</sup> Therefore, nothing is right or just by nature, and all laws are conventional. Human beings impose laws upon themselves for expediency, and such laws vary among different peoples and change at different times. Justice is derived from utility and is based only on calculation of the advantage of living together in a particular society. Such advantage is apparent in the case of citizens who, singly, are powerless to protect themselves. But strong individuals or powerful states, since they contain in themselves all things required for their own protection, do not need justice.<sup>7</sup> They need acknowledge no higher law but their own strength. The notion of justice is thus not applicable to relations between states, or if there is justice, "it is supreme folly, since one does violence to one's own interests if one consults the advantage of others."<sup>8</sup> In short, to use the phrase of Reinhold Niebuhr, Carneades is one "in the long line of moral cynics in the field of international relations" who know no law beyond self-interest.<sup>9</sup>

To Grotius, justice is not folly. He defends natural law as follows. First, he attacks the view that every animal is impelled by nature to seek only its own good. Even animals can restrain their self-serving appetites, to the advantage of other animals, most obviously their offspring.<sup>10</sup> Sheep dogs, for example, go in advance of their flocks, fighting till death if necessary, to protect the flocks and shepherds from

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<sup>6</sup> *De Jure*, prol. §5.

<sup>7</sup> *De Jure*, prol. §22.

<sup>8</sup> *De Jure*, prol. §5.

<sup>9</sup> Reinhold Niebuhr, *The Children of Light and the Children of Darkness: A Vindication of Democracy and a Critique of Its Traditional Defense* (New York: Charles Scribner's Sons, 1960), 8.

<sup>10</sup> *De Jure*, prol. §7.



harm. If this is the case with animals, it is even more so with humans, who are rational creatures. Humans can benefit not only themselves but also others by the ability to recognize others' needs. They can refrain, even with inconvenience to themselves, from doing harm.<sup>11</sup> They have been endowed with the faculties of knowing good and evil and of acting according to general principles. What is characteristic of human beings is "an overwhelming desire for society; that is, for social life not of any and every sort, but peaceful, and organized according to the measure of intelligence."<sup>12</sup> They neither were nor are, by nature, wild, unsociable beings. On the contrary, it is the corruption of their nature which makes them so.<sup>13</sup> Further, if humans are naturally social, their natural sociability should be protected against acts which destroy peace in society, such as the violation of others' property. Laws established to provide an order in society are thus not merely conventional but have their basis in human sociability. The law of nature, as it appears from the *Prolegomena*, is the law which conforms with the social nature of humans and the preservation of social order; it is the law which applies to all humans. To its sphere belong such standards as not taking that which belongs to another, the restoration of damage, the obligation to fulfill promises, the reparation of injury, and the right to inflict penalties.<sup>14</sup> It exists independently of any will and cannot be changed by any authority whatsoever, whether divine or human.

Human natural inclination to one another, sociability, or fellowship—in short, human social nature and not mere expediency—is the foundation of natural law: "a dictate of right reason which points out that an act, according to whether it is or is not in conformity with rational nature, has in it a quality of moral baseness or moral necessity."<sup>15</sup> Nevertheless, insofar as we have all been created weak and lack many things needed to live properly, laws which have their ultimate source in human sociability are reinforced by expediency.<sup>16</sup> Grotius divides law into natural law and volitional law. Positive

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<sup>11</sup> *De Jure* 1.1.11. I follow a standard form of reference (book, chapter, section).

<sup>12</sup> *De Jure*, prol. §6.

<sup>13</sup> *De Jure* 1.1.12.

<sup>14</sup> *De Jure*, prol. §6.

<sup>15</sup> *De Jure* 3.11.16.

<sup>16</sup> *De Jure*, prol. §16.



volitional laws, which emanate from the power of the state but have their ultimate point of reference in natural law, have always some advantage in view. Insofar as they are based on citizens' choice and consent, the laws of each state have in view the benefit of the whole society. For this reason, he argues, it is wrong to ridicule justice as folly. A citizen who obeys the law is not foolish, "even though, out of regard for that law, he may be obliged to forgo certain things advantageous for himself."<sup>17</sup> By violating a law of his country in order to maximize utility and obtain immediate advantage, the individual destroys the common welfare, by which the advantages of himself and his posterity are secured. The same applies to international law that has in view "the advantage, not of particular states, but of the great society of states."<sup>18</sup>

Grotius replaces the double standard of conduct for states in their internal affairs and in their foreign affairs, characteristic of politics of *raison d'état*, with a clear-cut parallelism. The conduct of nations is compared to the conduct of individuals. The "nation is not foolish which does not press its own advantage to the point of disregarding the laws common to all countries."<sup>19</sup> Although law is not founded upon expediency alone, no state can disregard potential benefits of international cooperation. He stresses mutual interdependence of states. In a mutually interdependent world, there is no state so powerful that it may not some time need the help of others outside itself, either for purposes of trade, or even to ward off the forces of many foreign nations united against it.<sup>20</sup> No state is free to act unlawfully. In disobeying the law of nations because of temporary profit to itself, the state separates itself from international society and hence undermines the foundation of its own security.

Grotius challenges the view that laws are merely conventional and justice a matter of mere expediency. He asserts the essential identity of legal and moral rules governing the conduct of states and individuals, and he traces the source of these rules to the law of nature. He does not identify international law with natural law, since the latter represents a body of moral rules known to all civilized human beings, while the former is a body of rules that have been ac-

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<sup>17</sup> *De Jure*, prol. §18.

<sup>18</sup> *De Jure*, prol. §17.

<sup>19</sup> *De Jure*, prol. §18.

<sup>20</sup> *De Jure*, prol. §22.



cepted as obligatory by the consent of all or many states. However, the law of nature is for him the ever-present source for supplementing the voluntary law of nations, and for judging its adequacy in the light of ethics and reason.<sup>21</sup> It provides criteria against which the mere will and practice of states can be measured. At the same time, he draws our attention to the utility of international law. While the proponents of the doctrine of *raison d'état* argue that state interests override customary moral rules and international norms, Grotius attempts to show that this way of looking at national interest is the equivalent of looking into the wrong end of a telescope. It establishes a false dichotomy between the interests of particular states and the interests of the whole international community. It fails to appreciate how important international norms are when it comes to the constitution of state interests. Even if no immediate advantage were to be derived from the keeping of the law, Grotius says, it would be a mark of wisdom, not of folly, to allow ourselves to be drawn toward that to which we feel our nature leads.<sup>22</sup> Respecting international law and promoting international order can bring long-term benefits to all nations.

## II

*Jus ad Bellum* and *Jus in Bello*. For adherents of the doctrine of *raison d'état*, ethical and legal norms are suspended by the necessities (such as the necessity to survive or secure power) which states confront in international relations. The stern necessities of the state justify doing evil. In the affirmation of "reason of state," the claim to an unrestricted right to war is thus the most important. War becomes the right of sovereign states and the very symbol of their sovereignty. Moreover, since war is always an instrument of state policy, as Carl von Clausewitz points out, it is limited insofar as policy is limited; however, once a state decides to pursue a policy of conquest and is no longer prepared to be bound by any established norms, it would fight a total and unconstrained war.<sup>23</sup> Grotius disputes these views. For him,

<sup>21</sup> Hersch Lauterpacht, "The Grotian Tradition in International Law," *British Yearbook for International Law* 23 (1946): 1-53.

<sup>22</sup> *De Jure*, prol. §18.

<sup>23</sup> *Restraints on War: Studies in the Limitation of Armed Conflict*, ed. Michael Howard (Oxford: Oxford University Press, 1995), 6.



states are composed of individual human beings<sup>24</sup>—a basic reason why their behavior is not subject to impersonal forces of necessity but ultimately always depends upon human decisions. States are not disorderly crowds but associations. As such, they are, as a rule, governed by individuals who reach decisions after deliberations and are capable of forming judgments on ethical and legal issues confronting them. Moreover, since states are collections of persons, they are subordinated to natural law arising from the nature of man as a rational and as a social being.<sup>25</sup> Hence, their behavior is subject to limitations. To control and limit war is thus not inherently impossible. Grotius attempts to limit and restrain war in two ways: first, by his just war doctrine which puts severe limitations on the reasons for which war may be fought; second, by putting legal restraints on its conduct.<sup>26</sup> The two phrases: *jus ad bellum* (justice of war) and *jus in bello* (justice in war) refer respectively to these two cases.

There are three views concerning the legitimacy of war. First, there is the pacifist view that no act of war is legitimate. Second, there is the militaristic or Machiavellian view that any war that benefits the state is legitimate. Third, there is the legalistic or Grotian view that there is a distinction between just and unjust causes of war, and that some wars are therefore legitimate and others not. The pacifist and militarist views are both inimical to international order. The former rejects the violence that is necessary to uphold international order against attempts to subvert it; the latter admits violence of a sort that destroys international order.<sup>27</sup> For Grotius, the use of force is in no way discordant with social human nature. "The right reason and the nature of society prohibit not all force," he says, "but only that which is repugnant to society, by depriving another of his right."<sup>28</sup> Convinced that there is a common law among nations, which is valid alike for war and in war, he attempts to provide an alternative against both extremes, pacifism and militarism, so that humankind may not believe either that nothing or anything is allowable.<sup>29</sup> He denies the

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<sup>24</sup> *De Jure* 2.1.17.

<sup>25</sup> *De Jure*, prol. §26.

<sup>26</sup> *De Jure*, prol. §25.

<sup>27</sup> Hedley Bull, "The Grotian Conception of International Society," in *Diplomatic Investigations: Essays in the Theory of International Politics*, ed. Herbert Butterfield and Martin Wight (London: Allen and Unwin, 1966), 54.

<sup>28</sup> *De Jure* 1.2..1.

<sup>29</sup> *De Jure*, prol. §29.



state the right to resort to war except in pursuit of a just cause: "No other just cause for undertaking war can there be excepting injury received."<sup>30</sup> He limits the justifiable causes of war to defense, recovery of property, and inflicting of punishment. In addition, he devotes an entire chapter of the *De Jure Belli ac Pacis* to an enumeration of various causes of unjust war.<sup>31</sup> He accepts as a just cause of war neither the desire for richer lands nor the desire to rule others against their own will on the pretext that it is for their good. Wars can be justly waged against neither those who refuse to accept our ideology or religion nor those who err in its interpretation. Furthermore, in elaborating the right of self-defense, Grotius rejects the claims of the war of prevention. He claims that the notion that "the mere possibility of being attacked confers the right to attack is abhorrent to every principle of equity. Human life exists in such conditions that complete security is never guaranteed to us."<sup>32</sup> In another part of the book, he says plainly that to "authorize hostilities as a defensive measure, they must arise from the necessity which right apprehensions create: there must be a clear evidence not only of the power, but also of the intentions of the formidable state."<sup>33</sup>

In book 3 of *De Jure Belli ac Pacis*, Grotius discusses what was considered to be just in war under the law of nations of his day: killing and wounding enemies, devastating, acquiring captured goods, enslaving prisoners of war, and obtaining supreme governing power. However, he does not approve of these practices. In chapters 11–16, which include chapters on admonition of *temperamenta belli* (restraints on war), he aims at providing rules for minimizing bloodshed. First, he seeks to restrain the right to kill. He states that no one may be killed intentionally except as a just punishment or by necessity, when there is no other way to protect life or property. Next, he specifies the categories of people who may not be killed. These include such noncombatants as children, women (unless they are fighting in place of men), old men, members of the clergy, men of letters, farmers, merchants, and artisans. He also argues that the lives of those combatants who surrender unconditionally or beg for mercy, and thus no longer pose a threat, should be spared. Grotius's argument in respect of devastating

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<sup>30</sup> *De Jure* 2.1.1.

<sup>31</sup> *De Jure* 2.12.

<sup>32</sup> *De Jure* 2.1.17.

<sup>33</sup> *De Jure* 2.22.5.



and pillaging is similar. Devastation can be undertaken to reduce the strength of the enemy. But devastation for devastation's sake is absurd and should be avoided. It is not allowed if, as a result of occupation, the land and its produce are effectively withheld from the enemy. Grotius also insists that the powers involved in conflict should refrain from destroying works of art, especially those devoted to sacred purposes. He believes that reverence for things sacred requires that sacred buildings and their furnishing be preserved. To evaluate the value of *temperamenta* he does not only refer to the law of nature. He also supports his emphasis on moderation in war by a prudential argument.<sup>34</sup> To refrain from indiscriminate killing, and from destroying and pillaging property, he argues, increases the likeness of one's own victory by depriving the enemy of the great weapon of despair.

*De Jure Belli ac Pacis* was read widely in the European intellectual circles of the seventeenth and eighteenth centuries, and it must have then exerted some influence on the process by which the severity of war in Europe was mitigated. Many rules and basic ideas of the law of war established in the late nineteenth and early twentieth centuries, especially by the Hague and Geneva conventions, follow Grotius's restraints on the conduct of war. Nevertheless, his just war doctrine was not accepted in his day and for three centuries thereafter. Prior to the changes introduced to international law in the aftermath of the First World War, states had the right to resort to war not only to defend their legal rights but also in order to destroy rights of other states. This idea of the unqualified prerogative of states to resort to war as an instrument of national policy was opposed by the just war tradition that denied the absolute right to war and differentiated between wars which, in law, were just and those which were not. Grotius made a significant contribution to this tradition.<sup>35</sup> In the Covenant of the League of Nations, established in 1919 by the Treaty of Versailles and dissolved in 1946, lawful resort to war was diminished for the League's member states. International law on the right to resort to war was further developed by the Kellogg-Briand Pact of 1928, outlawing war as an instrument of national policy, and the U.N. Chap-

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<sup>34</sup> *De Jure* 3.12.8.

<sup>35</sup> See G. I. A. D. Draper, "Grotius' Place in the Development of Legal Ideas about War," in *Hugo Grotius and International Relations*, ed. Hedley Bull, Benedict Kingsbury, and Adam Roberts (Oxford: Clarendon Press, 1990), 202.



ter of 1945. The provisions of the U.N. Charter, aiming at providing a system of collective security, extend beyond Grotius's position. However, they preserve his basic idea that states may use unilateral force only for the purpose of self-defense, and not for the pursuit of their foreign-policy objectives.

### III

*Human Rights and Intervention.* Against advocates of the doctrine of *raison d'état*, Grotius argues that "there is a common law among nations, valid for war and in war."<sup>36</sup> His contribution to international relations theory is the idea that the binding force of law can be preserved in an anarchic international environment. Thus, he lays foundations for a universal international order dedicated to peaceful cooperation between equal and mutually independent sovereign states. Nevertheless, in addition to promoting the rule of law in interstate relations, Grotius sets before the international community another goal of protecting people from harm and of promoting the protection of basic human rights. In the chapter "On Punishments," he says:

The fact must also be recognized that kings, and those who possess rights equal to kings, have the right of demanding punishments not only on account of injuries committed, against themselves or their subjects, but also on account of injuries which do not directly affect them but excessively violate the law of nature or of nations in regard to any persons whatsoever.<sup>37</sup>

Central to Grotius's thought about war is the insistence that private war, violence between families, groups, or cities is forbidden. "No war can be made but by the authority of the sovereign in each state."<sup>38</sup> Grotius is thus against nonstate violence, and he has been criticized because of his disapproval of the right of resistance to oppression. He asserts that a rebellion in the form of a war of liberation is not permitted under natural law. To recognize a right of resistance for him is contrary to the purpose for which the state is formed, that is, the maintenance of public peace.<sup>39</sup> Nevertheless, he adds to his

<sup>36</sup> *De Jure*, prol. §24.

<sup>37</sup> *De Jure* 2.20.40.

<sup>38</sup> *De Jure* 1.3.5.

<sup>39</sup> *De Jure* 1.4.2-5.



position a few important qualifications. Right of popular resistance exists when rulers openly demonstrate themselves enemies of the whole people or attempt to usurp parts of sovereign power not belonging to them. Further, he permits nonviolent struggle and defends such individual rights as the right to defend one's person and property, the right to refuse to carry arms in an unjust or even morally doubtful war, and the right to purchase necessities of life, such as food, clothing, or medicine, at a reasonable price.<sup>40</sup> He is also clearly ahead of his time when he discusses humanitarian intervention. Notwithstanding his reluctance to sanction wars of national liberation, he considers the prevention of the maltreatment by a state of its subjects a just reason for war.

Based on the notion of state sovereignty over its own territory, international law has traditionally opposed not only unilateral intervention in the domestic affairs of one country by another but also collective action. The only exceptions are grave threats to the peace and security of other states and egregious and potentially genocidal violations of human rights. While addressing the dilemma of whether the sovereignty of a state should be respected or the rights of the individuals within the state protected, Grotius offers a basic principle by which humanitarian intervention can be justified. He acknowledges the established rule that "every sovereign is supreme judge in his own kingdom and over his own subjects, in whose disputes no foreign power can justly interfere."<sup>41</sup> However, he argues that the state that is oppressive and egregiously violates basic human rights forfeits its moral claim to full sovereignty. When the rulers provoke their people to despair and resistance by unheard-of cruelties, having themselves abandoned all laws of nature, they lose the rights of independent sovereigns and can no longer claim the privilege of the law of nations. For Grotius, humanitarian intervention is therefore a kind of international equivalent of domestic law enforcement. Governments that engage in acts that allow other states to intervene in their domestic affairs for humanitarian purposes are considered by him to be criminal governments. While Grotius generally denies the oppressed the right of resistance, he permits a foreign state to intervene, through war, on their behalf. "Admitting that it would be fraught with the greatest dangers if the subjects were allowed to redress grievances by force of

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<sup>40</sup> *De Jure* 2.2.19.

<sup>41</sup> *De Jure* 2.25.8.



arms, it does not necessarily follow that other powers are prohibited from giving them assistance when laboring under grievous oppression."<sup>42</sup>

Grotius's argument for intervention is based on the assumption of one common nature which humans have and which alone is sufficient to oblige people to assist each other. Human social and rational nature is the source of natural law and a foundation of human rights. In the sense that pertains to an individual human being, "right (*ius*) is a moral quality, annexed to the person, justly entitling him to possess some particular privilege, or to perform particular acts."<sup>43</sup> Although Grotius's list of human rights violations and barbaric acts may be different from today's, he asserts as a matter of principle that members of the international community are not obliged to respect the sovereignty of a state which engages in acts of cruelty and violates human rights. Whoever commits a crime, whether a criminal individual or a criminal nation, by the very act can be considered to fall into the level of brutes and can be regarded as inferior to anyone else.<sup>44</sup> Those human beings who break basic rules of humanity and renounce natural law are wild beasts rather than humans, and against them a just war can be fought. "The most just war is against savage beasts, the next against men who are like beasts."<sup>45</sup> However, Grotius does not license intervention everywhere to everyone, and he qualifies his argument with prudential considerations. Since a state's own existence and preservation is the object of greater value and prior consideration than the welfare and security of other states, "no one is bound to give assistance or protection when it will be attended with evident danger."<sup>46</sup> In his view, national responsibility, the obligation of the government to its own citizens, is regarded as most important, and it takes precedence before cosmopolitan responsibility for all humans. Our common nature, he suggests, tells us that if possible something should be done to stop human suffering on a mass scale wherever it occurs. But governments should always protect their own people first and avoid taking unnecessary risks with their welfare; only then can they try to help whomever else they can. "No ally is bound to assist in the prosecution of schemes which afford no possible prospect of a

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<sup>42</sup> *De Jure* 2.25.6.

<sup>43</sup> *De Jure* 1.1.4.

<sup>44</sup> *De Jure* 2.20.3.

<sup>45</sup> *De Jure* 2.20.40.

<sup>46</sup> *De Jure* 2.25.7.



happy termination."<sup>47</sup> Intervention is justified only if the military risk is not high and there is a reasonable chance of success.

Political realists are critical of intervention, arguing that states act only when it is in their interest to do so. They argue that disregarding the rights of sovereignty of other states to promote human rights may lead to an undermining of peace and order. Grotius does not deny self-interest in international politics. However, he believes that states can identify their interests not only with narrow national goals but also with a greater task of the preservation of international order.<sup>48</sup> In such case, cosmopolitan responsibility for other humans and the punishment of rogue states (especially in situations where human rights violations result in grave threats to peace for neighboring states) is not contrary to national interest. Nevertheless, as a word of warning, Grotius says that "wars which are undertaken to inflict punishment are under suspicion of being unjust, unless crimes are very atrocious and evident."<sup>49</sup> The danger that a humanitarian intervention can be used as the cover of ambitious designs, "by which no faults of kings but their power and authority will be assailed," cannot be completely removed. "But right does not lose its nature from being in the hands of wicked men."<sup>50</sup> Grotius anticipates the idea, which underlies the system of collective security of the United Nations, that to avoid the situation that under a pretended humanitarian intervention there will be an interest of a single state to undertake a military action against another, the process of judgment whether or not to undertake such action must be multinational.<sup>51</sup> Collectively approved action can correct for self-interested interventions covered by a thin cloak of humanitarianism.

#### IV

*Old and New Challenges to the Grotian Order.* Under Grotius's influence, international law changed from its old meaning of a set of customs which were discovered to be common to the juridical prac-

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<sup>47</sup> *De Jure* 2.25.4.

<sup>48</sup> *De Jure*, prol. §17.

<sup>49</sup> *De Jure* 2.20.43.

<sup>50</sup> *De Jure* 2.25.8.

<sup>51</sup> Michael J. Smith, "Humanitarian Intervention: An Overview of the Ethical Issues," in *Ethics and International Affairs: A Reader*, 2d ed. (Washington, D.C.: Georgetown University Press, 1999), 291.



tice of many different peoples, to a body of rules regulating the relations between sovereign states. He posited the idea of the international rule of law, even in warfare, and thus provided the foundation for a universal legal order applicable to all nations, an order whose purpose is to encourage cooperation between states and reduce the risk of a conflict arising among them. Yet, just as his ideas were frequently discussed, quoted, and admired, they were also fiercely attacked and described as utopian or unrealistic. Challenges have been made to not only his idea of international legal order but also his concept of fixed moral standards derived from natural law, by which policies and political actions could be judged.

The initial challenge came from Hobbes, Grotius's younger contemporary. Although he does not mention Grotius by name, in his *Leviathan*, first published in 1651, Hobbes makes a formidable attack on the views underlying Grotius's lifework. He argues that there is no society between states because there is no common power, authority, and law; that states have an absolute and unlimited sovereign power and, as a matter of sovereign prerogative, are entitled to wage war; that their mutual relations appear to be those of perpetual conflict; that going to war is simply striving to enforce our will as a people on another people; that peace is only a breathing time; that ethical norms do not hold at war and consequently crimes during war do not exist. Hobbes joins the camp of those who dismiss the idea of international norms founded on natural law. In different ways, Machiavellians, Hobbesians, Hegelians, and Marxists all agree.

By subjecting Grotius's ideas to criticism, Hobbes voiced the prevailing international practice of governments of his day. In many cases these ideas were read in a way that were contrary to Grotius's own intentions. Grotius was praised equally by hawks and doves. His ideas could gratify the high-minded because they sounded lofty and pointed out a way which could reasonably lead to a more peaceful world, while in practice, they could not restrict the struggle for power between European states and their endeavor to subject non-European people to their authority.<sup>52</sup> Grotius's just war doctrine was all too often used instrumentally by hardliners and militarists to justify the right to start war. His right to intervention provided too readily a pretext for brigands of all kinds to subjugate foreign peoples.

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<sup>52</sup> B. V. A. Röling, "Are Grotius' Ideas Obsolete in an Expanded World?" in *Hugo Grotius and International Relations*, ed. Hedley Bull, Benedict Kingsbury, and Adam Roberts (Oxford: Clarendon Press, 1990), 297.



The age of Grotius was a time of national arms build-up, not arms restriction. The era of colonial conquests by European nations had just begun. Yet even in today's postcolonial era, individuals and nations are contending with some of the same important questions that were faced in the seventeenth century. Under what conditions can states punish another state or undertake a humanitarian intervention? Can rules and norms of international society provide restraint against the potential egoism of states? Do they contribute to greater cooperation and peace among states? Are rules and norms merely an expression of a particular interpretation of national or class interests at a particular time?

The value of Grotius's work is not that it provides answers to all these questions. He is, however, an important voice in the debate about the character of international politics. He wrestled with problems which continue to concern us. It is his conviction that people do not conduct their foreign policies independently of their cultural values. The international legal order which he envisions is not compatible with societies in which the individual human being is not recognized as the primary principle but is rather reduced to a member of a tribe, a nation, or a class; in which the essential elements that constitute human nature, human rationality and sociability, are not recognized; and in which natural law is either not acknowledged or not understood as a moral law. Those core values and norms of Western civilization have been under a constant threat of militaristic ideologies. Upon their sustenance, the future of the present Grotian global order, based on rule of law in international relations, ultimately depends.

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## THE CONCEPT OF PROGRESS IN WITTGENSTEIN'S THOUGHT

KEVIN CAHILL

AS A MOTTO FOR THE *PHILOSOPHICAL INVESTIGATIONS*, Wittgenstein chose to quote a line from Johann Nepomuk Nestroy's play *Der Schützling* (*The Protégé*): "Anyway, the thing about progress is that it always seems greater than it really is."<sup>1</sup> The structure and content of the rest of this paper reflect how I see the motto of the *Investigations* orienting the reader toward the remainder of that text, specifically prefiguring how the concept of progress is relevant for our grasping some of its central philosophical objectives. I see the motto as at once referring us to Wittgenstein's authorship and at the same time referring to the cultural context in which his work has been carried out. What I hope to accomplish, then, is to give an account of how I see the *Philosophical Investigations* engaging in a critique of a certain understanding of progress in a cultural sense of that term, against the background of the way in which I understand the book to amount to a kind of philosophical progress in Wittgenstein's thinking.<sup>2</sup>

My aims here can perhaps be made a bit clearer by calling attention to an ambiguity in my title. "The Concept of Progress in Wittgenstein's Thought" can be understood to refer to certain features of the development of Wittgenstein's thought. But it could also be taken to refer to what Wittgenstein thought about the concept of progress, where "concept of progress" is connected to certain value judgments one makes when comparing different features of earlier and later

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<sup>1</sup> "Überhaupt hat der Fortschritt das an sich, dass er viel grösser ausschaut, als er wirklich ist." Ludwig Wittgenstein, *Philosophical Investigations* (henceforth, "*PI*"), trans G. E. M. Anscombe (Oxford: Blackwell Publishers, 1997). The line comes from act 4, scene 10 of Nestroy's play. The English translation given here is taken from David Stern. (See n. 4 for reference.)

<sup>2</sup> I should make clear that I do not assume that any of the interpreters of Wittgenstein whose work has been most influential for my thinking about the philosophical relation between the *Tractatus* and the *Philosophical Investigations* would endorse the methods or conclusions of this paper.

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historical periods. The main goal of this paper is to show how it broadens our perspective on the nature and significance of Wittgenstein's philosophy when we see that these two ways of thinking about the role of progress in his thought are actually woven together in his work. A further challenge follows from the way I try to reach this goal, since the paper draws on and brings together what to some may seem to be not only individually controversial, but also incompatible approaches to understanding Wittgenstein's thought as expressed in his texts.<sup>3</sup>

Part 1 is a brief discussion of some textual and literary-critical questions that bear on the nature of the motto as well as on the use I make of material that not only falls outside of *Philosophical Investigations*, but outside of anything we might call Wittgenstein's "strictly philosophical" texts. In part 2, I note some assumptions I make regarding the relation between the *Tractatus* and the *Investigations*. Against the background of these assumptions, I show in Part III how the remarks on rule-following can be taken as an example of how the *Philosophical Investigations* attempts to lead the reader to a perspective on language that is directly relevant for a type of philosophical critique of culture. Last, part 4 addresses the question of whether the perspective on progress that I locate in the remarks on rule-following entail a kind of political conservatism, especially when taken together with some of Wittgenstein's stated views on modern civilization.

## I

David Stern's paper, "Nestroy, Augustine, and the Opening of the *Philosophical Investigations*," contains a highly informative discussion of the very regrettable publication history and subsequent neglect by commentators of the motto for the *Investigations*.<sup>4</sup> As Stern notes, the motto has yet to be translated for any of the bilingual German-English editions of the book and is omitted altogether from En-

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<sup>3</sup>This last sentence refers to the possibility that some readers may think that my reading tries to accommodate both an "immanent" approach with a "genetic" or "contextualist" approach, where it is assumed that these terms signal approaches to texts that must be mutually exclusive.

<sup>4</sup>David Stern, "Nestroy, Augustine, and the Opening of the *Philosophical Investigations*," in *Proceedings of the 24<sup>th</sup> International Wittgenstein-Symposium*, ed. Rudolf Haller and Klaus Puhl (Vienna: Hölder-Pichler-Tempsky, 2002), 429-49.



glish only translations.<sup>5</sup> Moreover, even though the motto itself appeared in earlier German editions, until Joachim Schulte's critical genetic edition from 2001 included the word "motto" in front of the line from Nestroy (as it appears in Wittgenstein's manuscript), readers were left to make an educated guess as to what the function of this line might be.<sup>6</sup> With such a history, it is perhaps not too surprising that the motto rarely figures significantly, if at all, in the numerous discussions devoted to the opening of the *Investigations*. Stern asks against this background:

Given that the motto is left out of the standard translations, what reason do we have to take it seriously as the opening words of the *Philosophische Untersuchungen*? Is the front matter really part of the book, and even if it is, how much does that matter?<sup>7</sup>

In taking up the question whether or not the motto is important, Stern notes the possibility that

One could invoke a literary distinction here, and argue that the epigraph and preface, to be found on the preceding, roman numbered pages of the published book are part of the *paratext*, liminal material that is not

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<sup>5</sup> I will not address here issues concerning the translation of the motto. Stern discusses these questions at some length.

<sup>6</sup> Compare Ludwig Wittgenstein, *Philosophische Untersuchungen. Kritisch-genetische Edition*, ed. Joachim Schulte (Frankfurt am Main: Suhrkamp, 2001).

<sup>7</sup> Against Eike von Savigny, who has voiced doubts as to whether the motto is even a genuine part of the *Philosophical Investigations*, Stern shows quite convincingly, I think, how Wittgenstein's manuscripts and typescripts make it clear that in fact the motto deserves to be regarded as belonging to the book. As Stern also notes in this context, already in a letter to Schlick from 18 September 1930, we find Wittgenstein referring to "Nestroy's magnificent saying" ("das herrliche Wort Nestroys") about progress. This supports the supposition that Wittgenstein's choice of the motto for the *Investigations* was far from casual. See Stern, "Nestroy," 427–8.

Indeed, there is every reason to think that Wittgenstein took front matter very seriously in general, and that his selection of a motto for the *Investigations* in particular would have been conducted with the same care he expressed in two letters to Charles K. Ogden concerning the front matter for the *Tractatus*. In the first letter, dated 5 May 1922, Wittgenstein writes concerning the Title, Dedication, Motto, Preface, and main numbered remarks, "This is the part I am responsible for and therefore must be left together." In the second letter, dated 23 June 1922, Wittgenstein appears to be addressing his publisher's idea to publish the German version of the *Tractatus* without the preface. He writes concerning this, "By the way: if I give to Messrs Kegan Paul all publication rights then they ought to print my preface in German too!!! For the preface is part of the book" (emphasis original). See *Letters to C. K. Ogden*, ed. Georg Henrik von Wright (Oxford: Basil Blackwell, 1973), 47 and 55.



really part of the book itself, and that the text begins on page 1 of the published book, not the first page of the typescript.<sup>8</sup>

This possibility, though, raises perhaps an even larger question:

But how are we to understand the relationship between the text of the *Philosophical Investigations*, its paratext, and other texts, an issue that Wittgenstein interpreters have only occasionally given their full attention?<sup>9</sup>

In order to address this issue, Stern provisionally adopts a distinction drawn by Hans-Johann Glock between two ways of reading the *Investigations*, what Glock calls an “immanent” approach and a “genetic” approach.<sup>10</sup> Stern explains:

According to Glock, the immanent approach turns on two key assumptions: [1] that the ‘author’s intentions are irrelevant and [2] that an interpretation should only take into consideration what a reader can understand by looking at the text itself.’ We might add: what the immanent reading rules out are extratextual intentions, not intentions as expressed in the text.<sup>11</sup>

Stern goes on to point out that given the central role that the text plays in an immanent approach, it is initially surprising that supposedly immanent readers of the *Investigations* have devoted so little of their attention to the front matter of the book. On Stern’s view, this becomes less puzzling once we recognize that, while it may seem natural to many to regard front matter as part of a text, one of the primary functions of the front matter (including the motto, should there be one) is to give the author a forum in which he can attempt to orient or even manipulate the reader in such a way that his work is read and received in accord with his own wishes. If this is true, then given what seems to be the immanent reader’s general wariness of authorial intentions, we can see how it might be tempting for him to regard the

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<sup>8</sup> Stern, “Nestroy,” 428.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid. See Hans-Johann Glock, “Philosophical Investigations: Principles of Interpretation,” in *Wittgenstein—Towards a Re-Evaluation*, ed. Rudolf Haller and Johannes Brandl (Vienna: Hölder-Pichler-Tempsky, 1992), 153.

<sup>11</sup> Stern, “Nestroy,” 428.



front matter as extratextual, and so why purportedly immanent readers of Wittgenstein have overlooked the motto.

Drawing on the work of Gerard Genette, Stern argues against such an approach to Wittgenstein's text: "We ignore the motto—and the preface—at our peril, for they 'set the stage' just as much as the opening sections." But given a stubborn refusal to acknowledge the front matter (and perhaps anything outside a text that might pertain to authorial intentions), Stern points in addition to what Gerard Genette calls

the "obvious fact" that the immanent reader, attending only to what is in the text itself, "does not exist, . . . and cannot exist." The immanent reader, a familiar figure in the history of philosophy and modernist literary criticism, is an entirely fictional character, for in practice no one can bracket out everything they know or take for granted.<sup>12</sup>

Stern concludes, rightly I think, that since one can't simply forget what one knows, it is simply better to acknowledge the fact that one knows it and that the information one gathers from the front matter to a text will, to some extent at least, inform one's reading of that text.<sup>13</sup> These insights are important for the remainder of the paper.

## II

Wittgenstein's placing of the quotation from Nestroy's play at the beginning of his book can reasonably be taken as intended to guide

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<sup>12</sup> Stern, "Nestroy," 429. See Gérard Genette, *Paratexts* (Cambridge: Cambridge University Press, 1987), 407–9.

<sup>13</sup> Here, I would only add to Stern's analysis by noting that it is not only the purely immanent reader who is a fiction. The same is true of the purely genetic reader. In the context of Wittgenstein scholarship, a genetic approach is usually understood as emphasizing the idea that one cannot understand a text such as the *Investigations* without taking into account the complicated textual history of the passages that comprise the book. Yet the process of tracing a text to its various sources and contexts cannot go on indefinitely. Eventually it must end with sources and contexts that we simply must do our best to understand without necessarily tracing them to further sources and contexts. In short, a sharp distinction between immanent and genetic approaches is a fiction any way you look at it.



the reader's attention into more than one channel of thought.<sup>14</sup> Baker and Hacker first note in their commentary, "In its original context it expresses such negative views on progress as would harmonize with W.s own repudiation of this aspect, and this ideal, of European culture."<sup>15</sup> They immediately go on to speculate about what is clearly the main task of the motto:

It remains, however, unclear what Nestroy's remark is intended to convey as a motto for PI. It might be suggested that it intimates that the advance made in PI over the philosophy of TLP is less substantial than it appears. This is unlikely. More probable is the hypothesis that the intention behind the motto echoes the end of the Preface to TLP: "the value of this work . . . is that it shows how little is achieved when these problems are solved."<sup>16</sup>

Toward the end of this paper, I will return to some of the questions raised by this proposal. For now, I will simply mark a partial agreement with it by supposing it uncontroversial to believe that one natural way to understand the motto is to see Wittgenstein as using it to signal *something* about the way in which we understand the relation between the *Investigations* and his first book, the *Tractatus*. This signal requires us to keep the *Tractatus* in mind as we are reading the *Investigations*, something that we are encouraged to do in the preface where Wittgenstein writes:

Four years ago I had occasion to re-read my first book (the *Tractatus Logico-Philosophicus*) and to explain its ideas to someone. It suddenly seemed to me that I should publish those old thoughts and the new ones

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<sup>14</sup> It is clear that Wittgenstein's placing of such a passage at the beginning of his book can reasonably be taken as pointing the reader in several directions at once, and I do not pretend to give some sort of exhaustive list or discussion of the ways in which the motto may be functioning. Stern suggests in particular that the motto can also be read as indicating uncertainty or modesty on Wittgenstein's part regarding the achievement of the *Philosophical Investigations*, both taken in itself and as it relates to the *Tractatus*; that the motto is an initial exercise in making sense of a sentence out of context, something which alerts the reader to ambiguity and context generally, and to this particular sentence's ambiguities specifically; that the motto warns us not to take what follows at face value; that we should be especially wary of the way in which we take the *Investigations* to be progress; and finally that the motto can be read as introducing us to the use of voices other than Wittgenstein's own.

<sup>15</sup> Gordon P. Baker and Peter M. S. Hacker, *An Analytical Commentary on Wittgenstein's 'Philosophical Investigations'*, vol. 1 (Oxford: Blackwell Publishers, 1980), 4.

<sup>16</sup> Ibid.



together: that the latter could be seen in the right light only by contrast with and against the background of my old way of thinking.<sup>17</sup>

If one natural way to read the motto, then, is as some sort of expression of Wittgenstein's attitude to the way in which the *Investigations* compares with the *Tractatus*, or, more particularly, as an expression of his attitude toward the way in which it may (or may not) constitute progress over the *Tractatus*, then two important, and connected questions are, "How did Wittgenstein conceive *specifically* of that progress?", and, "How might *we* conceive *specifically* of that progress?" I emphasize "specifically" here because while the motto clearly suggests that Wittgenstein wants us to be careful about the way in which we understand the relation between the two books, it does not give us much more than that to go on. In other words, the motto issues some kind of caution to us, but beyond that we are left on our own to face some very large exegetical questions (questions we would have had to deal with, with or without the motto). But at any rate, since it seems plausible to assume that Wittgenstein was concerned that the *Investigations*, including its relation to the *Tractatus*, would be variously misunderstood, the suggestion that the motto warns us to be wary of the way we take it to be progress seems especially appropriate.

How we understand the question of the progress that the *Investigations* makes beyond the *Tractatus*, and so how we conceive of their philosophical relation, is complicated not only by the fact that each book is difficult taken on its own. It is made more complicated also by the fact that our understanding of the one is often intertwined with our understanding of the other. For example, it can seem natural to read certain passages in the *Investigations* as vigorously attacking a theory of meaning that Wittgenstein held in the *Tractatus*. In that case one must ask about the nature and object of the attack. Does one, for instance, see the attack as consisting in Wittgenstein showing how a theory of meaning that he now advocates is more adequate than his old theory of meaning? Or does one instead see the *Investigations* opposing a Tractarian theory of meaning, not with a new theory of its own, but rather with a new *method* for dissolving philosophical problems, including problems left unsolved or even generated by his first book? Both of these are possibilities that have been explored a great

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<sup>17</sup> *PI*, ii.



deal over the last several decades (and they themselves comprise several subalternatives).<sup>18</sup>

Yet each of these possibilities shares the common assumption that one of the targets of the *Investigations* is a theory of meaning that Wittgenstein espoused in the *Tractatus*. This indicates at least one further alternative for understanding the progression of Wittgenstein's thought, and this entails dropping the assumption that there is an actual theory of meaning in the *Tractatus* to criticize in the first place. Dropping this assumption will usually go with a way of reading the *Tractatus* and the *Investigations* on which neither book is intended as a piece of constructive or systematic philosophy and on which the two books share substantially similar goals.<sup>19</sup> One way to characterize those goals is to say that each of these books aims to show the illusory nature of attempts to construct philosophical theories that require the reader to occupy an external vantage point on language. Another way to put this point is to say that in both the *Tractatus* and the *Investigations* Wittgenstein was concerned to show how emptiness in philosophy arises when philosophers, either explicitly or implicitly, imagine their work as presupposing nothing about human beings and their world. In addition, interpreters of Wittgenstein who tend to see the progress between his early and later work this way tend also to think that to the extent that the goals of the two books do differ, this is more of a reflection of a significant change in Wittgenstein's understanding of philosophical method, not of a change in his theoretical or metaphysical ambitions. On this view, to the extent that the later Wittgenstein is critical of the *Tractatus*, and

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<sup>18</sup> See for example Gordon P. Baker and Peter M. S. Hacker, *Wittgenstein: Rules, Grammar and Necessity: An Analytic Commentary on the Philosophical Investigations* (Oxford: Blackwell Publishers, 1985); David Bloor, *Wittgenstein, Rules and Institutions* (New York: Routledge, 1997); Robert J. Fogelin, *Wittgenstein*, 2d ed. (London: Routledge and Kegan Paul, 1987); Anthony Kenny, *Wittgenstein* (London: Allan Lane, 1973); Saul A. Kripke, *Wittgenstein on Rules and Private Language* (Oxford: Blackwell Publishers, 1982); Norman Malcolm, *Nothing is Hidden* (Oxford: Blackwell Publishers, 1986); Stephen Hilmy, *The Later Wittgenstein: The Emergence of a New Philosophical Method* (New York: Blackwell Publishers, 1987); Eike von Savigny, *Wittgenstein's "Philosophische Untersuchungen": Ein Buch für Leser* (Frankfurt am Main: Vittorio Klostermann, 1994); Meredith Williams, *Wittgenstein, Mind and Meaning: Towards a Social Conception of Mind* (London: Routledge, 1999).

<sup>19</sup> This involves adopting what is now often called a "resolute" reading of the *Tractatus* and a "therapeutic" or "quietist" reading of the *Investigations*.



that he is critical of it is something no one really denies; such criticism is not directed in the first instance at the theories that the earlier book proffered, but rather at the conception of method it embodied (and, in the end, at the way this method did in fact rely unknowingly on a sort of metaphysical theory.)<sup>20</sup>

As this very general sketch may suggest, it is not my aim in this paper to catalog, let alone analyze and evaluate, the various positions and subpositions that comprise the debate concerning the continuity of Wittgenstein's thought. I shall simply state, therefore, that it is this last-mentioned alternative I find most compelling; that my understanding of the question of progress between the *Tractatus* and the *Investigations* has therefore been largely shaped by those who have articulated this alternative; and that it is such an understanding of that progress which is taken for granted here and which puts constraints on what I will say in the rest of the paper about the concept of progress in Wittgenstein's thought as that pertains to certain types of value judgments. Naturally, I hope my discussion of this other sense of progress in Wittgenstein's thought will make the assumption about the relation between the *Tractatus* and the *Investigations* seem more plausible. But the plausibility of much of what I say in this regard will to some extent rest on the original assumption concerning the nature

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<sup>20</sup> For a concise and illuminating discussion of the way these issues are woven together, see Alice Crary's introduction to *The New Wittgenstein*, ed. Alice Crary and Rupert Read (London: Routledge, 2000), 1–18. For ideas central to the approach described by Crary, see James Conant, "Two Conceptions of *Die Überwindung der Metaphysik*," in *Wittgenstein in America*, ed. Timothy G. McCarthy and Sean C. Stidd (Oxford: Clarendon Press, 2001), 13–61; and idem., "The Method of the *Tractatus*," in *From Frege to Wittgenstein*, ed. Erich Reck (Oxford: Oxford University Press, 2002), 374–462; John McDowell, "Non-Cognitivism and Rule-Following," in *Wittgenstein: To Follow a Rule*, ed. Steven H. Holtzman and Christopher M. Leich (London: Routledge and Kegan Paul, 1981), 141–62; idem., "Wittgenstein on Following a Rule," in *Essays on Wittgenstein's Later Philosophy*, ed. Crispin Wright (Dordrecht: Reidel, 1984) 325–63; idem., "Meaning and Intentionality in Wittgenstein's Later Philosophy," in *The Wittgenstein Legacy*, ed. Peter A. French, Theodore E. Uehling, Jr., Howard K. Wettstein (Notre Dame: University of Notre Dame Press, 1992), 40–52; and idem., "How Not to Read *Philosophical Investigations*: Brandom's Wittgenstein," in *Proceedings of the 24<sup>th</sup> International Wittgenstein-Symposium*, 245–56; Stanley Cavell, "Excursus on Wittgenstein's Vision of Language," in his *The Claim of Reason: Wittgenstein, Skepticism, Morality and Tragedy* (Oxford: Clarendon Press, 1979), 168–90; Cora Diamond, "Throwing Away the Ladder: How to Read the *Tractatus*," in her *The Realistic Spirit: Wittgenstein, Philosophy, and the Mind* (Cambridge: MIT Press, 1991), 179–204; and idem., "Ethics, Imagination and the Method of Wittgenstein's *Tractatus*," in *The New Wittgenstein*, 149–73.



of the continuity of Wittgenstein's thought. Consequently, the plausibility of what I say about each of the two ways for thinking about the concept of progress in his thought hangs together somewhat with what I say or assume about the other way. At any rate, the rest of the paper will be dealing with this second way of thinking about progress in Wittgenstein.

### III

There is little doubt among commentators today that the remarks on rule-following in the *Investigations* exhibit central features of the later Wittgenstein's treatment of meaning. For my purposes here, moreover, these remarks are well suited to bring out an important consequence of the conception of philosophy that is ascribed to Wittgenstein in the last section. I will not, however, reconstruct or rehearse the arguments that take place in those remarks. Instead, I will rely for my orientation toward them on work carried out by some of the very same interpreters on whose work I rely for my overall understanding of the continuity and aim of Wittgenstein's philosophy.<sup>21</sup> Indeed, since their work on the remarks on rule-following has played an important role in the development of this overall understanding, this is not really a further assumption on my part (or not much of one anyway).

Especially since the publication of Saul Kripke's *Wittgenstein on Rules and Private Language*, the remarks on rule-following have received much attention from many of the most capable philosophers writing on Wittgenstein.<sup>22</sup> Most commentators take these remarks as giving important expression to some version of a use-theory of meaning that they take Wittgenstein to hold. The remarks are then seen as at once refuting certain deeply entrenched and widely held views about language (including some set of views that Wittgenstein is presumed to have held when he wrote the *Tractatus*), and as establishing Wittgenstein's own account of the ground of meaning, understanding, and normativity. Against this interpretative tendency to read the *Investigations* as a constructive work of philosophy, Warren Goldfarb writes,

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<sup>21</sup> I am thinking primarily of McDowell, Diamond, and Goldfarb, but there are others too.

<sup>22</sup> See n. 18 for reference.



[T]he rule-following considerations are not meant to yield a conclusive refutation of one or another sophisticated philosophy of language. Rather, they operate by examining what frames the first steps of a search for an account of meaning; and they are effective only insofar as what Wittgenstein provides . . . is a convincing portrayal of how such a project comes to have a hold on us. A better understanding of Wittgenstein's position thus requires far more clarity than we currently have about the sources of the inchoate demands we put on the notion of meaning and about the role such demands play in philosophical theorizing.<sup>23</sup>

John McDowell seconds Goldfarb's idea:

There is indeed room to complain that Wittgenstein reveals a need for something but does not give it, or does not give enough of it. But what we might ask for more of is not a constructive account of how human interactions make meaning and understanding possible, but rather a diagnostic deconstruction of the peculiar way of thinking that makes such a thing seem necessary.<sup>24</sup>

This remark of McDowell's points to two related questions: What is the peculiar way of thinking that we might want a diagnostic deconstruction of, and what is the significance of this way of thinking for our understanding Wittgenstein's later philosophy? The "source of the inchoate demands we put on the notion of meaning" that Goldfarb speaks of in the passage cited above, is, I take it, something quite close to McDowell's "peculiar way of thinking"; and I want to make it plausible here to think that Wittgenstein's engagement with this peculiar way of thinking is in large measure intended as a philosophical response to what he takes to be one of the central organizing myths of modernity, what Charles Taylor has called the "rationalist" or "disengaged" view of human intelligence, or, to paraphrase Stanley Cavell, the view that our fundamental relation to the world as a whole is one of knowing.<sup>25</sup> Taylor notes the following in this vein:

In speaking of the "dominant" [disengaged] view I am not only thinking of the theories which have been preeminent in modern philosophy, but also of an outlook which has to some extent colonized the common sense of our civilization.<sup>26</sup>

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<sup>23</sup> Warren Goldfarb, "Kripke on Wittgenstein on Rules," *Journal of Philosophy* 82 (1985): 488.

<sup>24</sup> McDowell, "Meaning," 51.

<sup>25</sup> Charles Taylor, "Lichtung or Lebensform: Parallels between Heidegger and Wittgenstein," in his *Philosophical Arguments* (Cambridge: Harvard University Press, 1995), 63. See also Cavell, *Claim*, 45.

<sup>26</sup> Taylor, "Lichtung," 63.



With Taylor's thought in mind, I argue that it is important that we see Wittgenstein's later philosophy not primarily as an attempt to solve philosophical problems within the accepted framework in which they are posed, but instead as attempting to engage the philosopher as a person who comes to philosophy with a certain cast of mind that includes unexamined commitments from a particular cultural context.

Part of what I want to do here should be seen as an attempt to develop my own inflection on what I take to be Stanley Cavell's suggestion that the *Philosophical Investigations* is a book whose cultural teaching is internal to its structure, and not a text in which we should necessarily expect to find its philosophy of culture expressed in cultural remarks per se. Cavell writes in this vein:

Since I have in effect claimed that there is a perspective from which the *Philosophical Investigations* may be seen as presenting a philosophy of culture, I have implied that its attitude to its time is directly presented in it, as directly as, say, in Spengler, or as in Freud or Nietzsche or Emerson. Then the difficulty in articulating the difficulty of Wittgenstein's attitude is the difficulty of finding this perspective.<sup>27</sup>

What I want to do now is to articulate a way in which I find the remarks on rule-following to give expression to such a perspective. In particular, I want to count as part of the *Investigations'* cultural teaching a perspective on ourselves with which Wittgenstein is trying to leave us vis-à-vis our relation to features of our culture such as the disengaged view in philosophy and to what he took to be its connection to that culture's dominant conception of progress.

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<sup>27</sup> Stanley Cavell, "Declining Decline," in his *This New Yet Unapproachable America: Lectures after Emerson after Wittgenstein* (Albuquerque: Living Batch Press, 1989), 59. As part of his own working out of some of the issues I focus on here, Cavell devotes significant attention in this essay to the ways in which he sees the style and form of the *Investigations* cohering with and being part of the expression of its philosophy of culture as well as of its overall philosophical message. Based on many of Cavell's other writings over the years, both those on Wittgenstein as well as those on the arts, my sense is that he reads the avowed lack of grand theoretical ambitions of the *Investigations*, what Wittgenstein calls in the preface the "poverty" or "barrenness" (*Dürftigkeit*) of the work, as in part stemming from Wittgenstein's reluctance to assimilate the language of traditional philosophical questions whose very meanings are unclear, this being an example of our more general modern predicament of the inheritability of problems coming down to us from tradition. I take it, then, that what one might call the "modernist" reticence of Wittgenstein's text is read by Cavell as an important part of the book's philosophy of culture.



Now perhaps the main intellectual requirement that the disengaged picture in philosophy makes on us is that we must envisage for ourselves a way to account for the rationality manifest in our various activities that is completely independent of those activities. In the particular case of following an arithmetical rule, the disengaged view requires us to imagine ourselves to be in possession of something that would satisfy the requirement that our understanding transcend all of our actual responses when we write out a numerical series. More specifically, we imagine that our understanding of the rule must be conceptually independent of those responses that we have previously accepted as being in accord with the rule, as well as conceptually independent of all further possible moves we could give. When we are beholden to the requirement forced on us by the disengaged picture, acknowledging the conceptual interdependence of our understanding of the rule and our actions will at best seem like a compromise that practical necessity extracts from us; it will not appear to us to be in accord with rationality *per se*. Consider in this context the following exchange at *Investigations* §188 and §189.

Here I should first of all like to say: your idea was that that act of meaning the order had in its own way already traversed all those steps: that when you meant it your mind as it were flew ahead and took all the steps before you physically arrived at this or that one.

Thus you were inclined to use such expressions as: "The steps are *really* already taken, even before I take them in writing or orally or in thought." And it seemed as if they were in some *unique* way predetermined, anticipated—as only the act of meaning can anticipate reality.

In the interlocutor's response at §189, "But *are* the steps then *not* determined by the algebraic formula?", we can hear both puzzlement and perhaps his sense of the threat of skepticism. But this evokes merely the laconic reply, "The question contains a mistake."

The interlocutor's question contains a mistake because it derives its sense of urgency from the requirements placed on us by the disengaged view of rationality. But the sense of urgency behind the interlocutor's question can dissipate if we can see that view itself as illusory. Many commentators writing on Wittgenstein have pinpointed this requirement as one of the central targets in the remarks on rule-following. Goldfarb writes:

The demand, however, is for a fixing of the correct continuation that does not rely upon us or take for granted anything about us, at all. What Wittgenstein principally wants to suggest is that we do not have any real



conception of what this comes to. We have, as Wittgenstein is wont to say, “no model of it.”<sup>28</sup>

McDowell echoes Goldfarb here:

[T]he idea that the rules of a practice mark out rails traceable independently of the reactions of the participants is suspect even in this apparently ideal case (a numerical series): and insistence that wherever there is going on in the same way there must be rules that can be conceived as marking out such independently traceable rails involves a misconception of the sort of case in which correctness within a practice can be given the kind of demonstration we count as proof.<sup>29</sup>

Taylor’s way of making this point is, I think, even better since it explicitly calls our attention to the embeddedness of the rule in the practice:

This reciprocity [between the rule and the practice that it guides] is what the intellectualist [disengaged] theory leaves out. In fact, what it shows is that the “rule” lies essentially *in* the practice. The rule is what is animating the practice at any given time, and not some formulation behind it, inscribed in our thoughts or our brains or our genes, or whatever. That’s why the rule is, at any given time, what the practice has made it.<sup>30</sup>

Taylor goes on to indicate where I think is the right place to look so as to avoid getting trapped at all, where I believe Wittgenstein too is trying to point us: “Embodied understanding provides us with the third alternative we need to make sense of ourselves.”<sup>31</sup> It is our failure to acknowledge this kind of understanding that for Wittgenstein accounts for the way the main requirement of the disengaged view, the

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<sup>28</sup> Goldfarb, “Kripke on Wittgenstein,” 487. Wittgenstein writes at *PI*, 192, “You have no model of this superlative fact, but you are seduced into using a super-expression. (It might be called a philosophical superlative.)” In fact, *PI*, 84, anticipates this point: “I said that the application of a word is not everywhere bounded by rules. But what does a game look like that is everywhere bounded by rules? whose rules never let a doubt creep in, but stop up all the cracks where it might? —Can’t we imagine a rule determining the application of a rule, and a doubt which *it* removes—and so on?”

<sup>29</sup> McDowell, “Non-Cognitivism,” 146.

<sup>30</sup> Charles Taylor, “To Follow a Rule,” in his *Philosophical Arguments*, 178. In *On Certainty*, §139 Wittgenstein writes, “Not only rules, but also examples are needed for establishing a practice. Our rules leave loop-holes open, and the practice has to speak for itself.” Ludwig Wittgenstein, *On Certainty*, ed. G. E. M. Anscombe and G. H. von Wright, trans. G. E. M. Anscombe and Denis Paul (Oxford: Blackwell Publishers, 1969).

<sup>31</sup> Taylor, “Follow,” 178.



requirement that rationality be understood independently of all of our activities, gets a foothold in philosophy in the first place.<sup>32</sup>

Of course it is not that Taylor's point about the significance of embodied understanding is utterly missed by commentators. But the usual way of taking it is to mistake the space Wittgenstein makes in his writings for the notion of embodied understanding and practice for an attempt to give a constructive theory of meaning. This is an interpretative tendency that McDowell is keen to counter. He writes:

Readers of Wittgenstein often suppose that when he mentions customs, forms of life, and the like, he is making programmatic gestures towards a certain style of positive philosophy: one that purports to make room for talk of meaning and understanding, in the face of supposedly genuine obstacles, by locating such talk in a context of human interactions conceived as describable otherwise than in terms of meaning or understanding. But there is no reason to credit Wittgenstein with any sympathy for this style of philosophy. When he says, "What has to be accepted, the given, is—so one could say—forms of life", his point is not to adumbrate a philosophical response, on such lines, to supposedly good questions about the possibility of meaning and understanding or intentionality generally, but to remind us of something we can take in the proper way only after we are equipped to see that such questions are based on a mistake. His point is to remind us that the natural phenomenon that is normal human life is itself already shaped by meaning and understanding.<sup>33</sup>

McDowell is not alone in arguing for the inadequacies of those interpretations of Wittgenstein which attribute to him constructive ambitions. In his well-known behaviorist interpretation of the remarks on rule-following, Saul Kripke finds Wittgenstein providing an ersatz account of meaning in terms of assertion conditions. Cora Diamond has criticized the way Kripke would have us understand Wittgenstein as providing an explanation of the meaning of such words as "agreement," "correctness," and "mistake" in abstraction from the particular roles those words have in our lives. Yet Diamond also warns us that even in our rejection of an overtly constructivist interpretation such as Kripke's, we need to be careful lest we fall into the same trap:

How, then does the contrast [with Kripke's account in terms of assertion conditions] go with Wittgenstein's approach? Here is how not to put it: he says that meaning is given, not by assertion-conditions, but by place-

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<sup>32</sup> See in this connection John McDowell's discussion of second nature and *Bildung* mostly in lecture 4 of *Mind and World* (Cambridge: Harvard University Press, 1996).

<sup>33</sup> McDowell, "Meaning," 50–1.



in-life. Rather, he thinks that, when we raise philosophical questions about meaning, we are for various reasons inclined not to attend to the place words have in our lives: to the very particular places. To give an account of meaning in terms of assertion-conditions is to remain with our eyes fixed in the wrong direction.<sup>34</sup>

If we fix our eyes in the direction that Diamond takes Wittgenstein to be trying to lead us, that is to the surface level of our actual uses of rules, we get a quite different picture. In speaking of the surface level here, I mean that for Wittgenstein, meaning and understanding are not features of our life with rules that we need to dig for, as though they were something remote from us, below or behind what is plainly open to view in our various rule-following activities.<sup>35</sup> If we do this, we merely make it seem as though all sorts of problems for meaning and understanding arise. Wittgenstein's point, rather, is that we do not need to dig at all. What we need to do is to allow our philosophical attention to remain *at* the level at which we actually operate with rules in our lives, and refuse to forfeit our right to use the term "correct" in all cases merely because of the fact that we take ourselves always to be able to imagine circumstances that might create problems for any given use of this term. And he hopes to help us along by drawing our attention to the profound differences between how we tend to regard these matters when doing traditional philosophy, and how we stand to them when we are actually following rules in ordinary life, a life that is phenomenologically characterizable as one where our actual normal activities of following rules are remarkable for their unobtrusive, yet pervasive success. The relevant difference between how

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<sup>34</sup> Cora Diamond, "Rules: Looking in the Right Place," in *Attention to Particulars: Essays in Honor of Rush Rhees*, ed. Dewi Z. Phillips and Peter Winch (New York: St. Martin's Press, 1989), 15.

<sup>35</sup> Elsewhere Wittgenstein writes: "To what extent can the function of language be described? If someone is not master of a language, I may bring him to a mastery of it by training. Someone who is master of it, I may remind of the kind of training, or I may describe it; for a particular purpose; thus already using a technique of the language. To what extent can the function of a rule be described? Someone who is master of none, I can only train. But how can I explain the nature of a rule to myself? The difficult thing here is not, to dig down to the ground; no, it is to recognize the ground that lies before us as the ground. For the ground keeps on giving us the illusory image of a greater depth, and when we seek to reach this, we keep on finding ourselves on the old level. Our disease is one of wanting to explain." See Ludwig Wittgenstein, *Remarks on the Foundations of Mathematics*, ed. Georg Henrik von Wright, Rush Rhees, and G. E. M. Anscombe, trans. G. E. M. Anscombe (Oxford: Blackwell Publishers, 1956), 31.



rules show up for us when we step back from our activities of actual rule-following and ask ourselves what, in general, does following a rule consist in, and how rules show up for us when we are engaged in following them, is that in the former case it may be true to say that there is always a question whether someone understands, while in the latter case, in ordinary life that is, there is usually no question at all.<sup>36</sup> Of course this should not be taken as a covert argument for some kind of infallibilism; "going wrong" is clearly an important part of our rule-following activities. But we maintain our grip on this idea, too, when we keep meaning and understanding in view. Diamond writes:

In fact, of course, we are not just trained to go '446, 448, 450' etc. and other similar things; we are brought into a life in which we rest on, depend on, people's following rules of many sorts, and in which people depend on us: rules, and agreement in following them, and reliance on agreement in following them, and criticising or rounding on people who do not do it right—all this is woven into the texture of life; and it is in the context of its having a place in such a form of human life that a 'mistake' is recognisably that.<sup>37</sup>

We saw earlier that the disengaged view demands that language operate without presuppositions, that it operate in all eventualities. But because we have no model for what it would look like for language to operate at that level, what seems to be our failure to find an account of meaning and understanding that fulfills the requirement of the disengaged view is not a genuine failure at all. For Wittgenstein, clarity comes in seeing that the level of the totality of contingencies was never one that we needed to be concerned with in the first place.

What has been said above about "correct" and "mistake" is no less true of Wittgenstein's use of the words "custom," "practice," and "form of life." For McDowell, Diamond, and other like-minded readers of Wittgenstein, we need to hear those words, too, as spoken from within the context of a form of human life that is already shaped by meaning and understanding. McDowell indicates what I take to be the right view of where Wittgenstein hopes the remarks on rule-following, and

<sup>36</sup> See Goldfarb, "Kripke on Wittgenstein," 485.

<sup>37</sup> Diamond, "Right Place," 27–8. Wittgenstein copies down approvingly this slogan from Goethe in a 1947 manuscript: "Man suche nichts hinter den Phänomenen; sie selbst sind die Lehre." Ms 134, p. 78, 30 March 1947. *Wittgenstein's Nachlass: The Bergen Electronic Edition. Text and Facsimile Version* (Oxford: Oxford University Press, 2000).



indeed in my opinion his later philosophy more generally, will leave his reader.

Given a satisfying diagnosis, the inclination [to answer a philosophical question about meaning] should evaporate, and the question should simply fall away. There is no need to concoct substantial philosophical answers to them. The right response to the question of "How is meaning possible?" or "How is intentionality possible?" is to uncover the way of thinking that makes it seem difficult to accommodate meaning and intentionality in our picture of how things are and to lay bare how un-compulsory it is to think that way.<sup>38</sup>

In coming to see the requirements that the disengaged view imposes on us as un-compulsory, of course, we can come to see it for what it is, a picture that, having colonized our common sense, extracts commitments from us, and perhaps more importantly blocks us from seeing others, blocks us especially in philosophy by opposing an examination of our rags.<sup>39</sup> But in addition to learning to let go of certain philosophical questions, and learning to allow the inclination to ask them to evaporate, we can also be led to ask different questions, not merely about the effects of the disengaged picture, but about the sources it has in our lives, about what commitments on our part make it seem so compulsory. These questions may not strike us as immediately philosophical in themselves, but I believe that they are among the most important questions that Wittgenstein's philosophy is intended to bring us to ask.

I believe that these considerations give us good reason for thinking that it would be a mistake to see Wittgenstein as a writer whose sole or primary goal in philosophy was the dissolution of philosophical puzzles concerning the meaning of words. As I have already argued, his attempt to bring out the incoherence of the disengaged picture is of a piece with an attempt to bring out the way our rule-following practices are, as Diamond puts it, "woven into the texture of life." But if understanding Wittgenstein's remarks on rule-following requires that we really look to see how our rule-following practices are woven into the texture of our life with others, then it must also be true that integral to the aim of these and other related remarks is the hope that as we let go of the disengaged picture we will come to have a transformed understanding of ourselves, of the kind of creatures

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<sup>38</sup> McDowell, "Meaning," 47.

<sup>39</sup> *PI*, 52.



that we are. We are supposed to see our rule-following practices as making sense within specific contexts of a form of life. But to talk of "practice," "custom," and "form of life" in this way can immediately invoke other words such as "history" and "culture." To become aware of ourselves as embodying rule-following practices is *ipso facto* to become aware of ourselves as finite creatures who are embedded in a particular historical and cultural setting. Now perhaps to some, talk of such an awareness must inevitably smack of a suspicious gesture at the subtle grasp of a thesis. But this suspicion is misplaced. The awareness that comes with the evaporation of the disengaged view is nothing that, for example, we should want to call "the engaged view." Rather, Wittgenstein's work of assembling reminders in the *Investigations*<sup>40</sup> is intended to help us to look<sup>41</sup> at the multitude of ways in which our expressions find their place in our given form of life<sup>42</sup> on the occasions of our various philosophical difficulties. And what we see when we look is not some kind of superlative fact or thesis that could do any philosophical work in advance of a need for the reminders and the looking. In fact "to become aware of ourselves as finite creatures who are embedded in a particular historical and cultural setting" really only describes the acknowledgement of a truism.<sup>43</sup> (But the self-understanding achieved by acknowledging a truism can take on the feel of an earth-shattering insight.)

This brings new questions with it. What did Wittgenstein think about the relation between the kinds of philosophical questions that arise from the disengaged view of ourselves and the historical-cultural

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<sup>40</sup> *PI*, 127.

<sup>41</sup> *PI*, 66.

<sup>42</sup> *PI*, 226.

<sup>43</sup> Without denying several important differences that I take myself to have with Cavell's overall reading of Wittgenstein, and in particular with his reading of Wittgenstein as a philosopher of culture, I find the following passage from an early essay expressing a view close to my own: "For Wittgenstein, philosophy comes to grief not in denying what we all know to be true, but in its effort to escape those human forms of life which alone provide the coherence of our expression. He wishes acknowledgement of human limitation which does not leave us chafed by our own skin, by a sense of powerlessness to penetrate beyond the human conditions of knowledge. The limitations of knowledge are no longer barriers to a more perfect apprehension, but conditions of knowledge *überhaupt*, of anything we should call 'knowledge.'" See Cavell, "The Availability of the Later Wittgenstein," in *Must We Mean What We Say?: A Book of Essays* (Cambridge: Cambridge University Press, 1976), 61–2.



setting we discover ourselves in when this role becomes clearer to us?<sup>44</sup> If understanding the significance of embodied understanding in our lives is as closely tied to the dissipation of philosophical confusion as I am suggesting it is for Wittgenstein, then it stands to reason that bringing this to light was an important aim of his writing. Taylor connects the dominance of the disengaged view in philosophy with “the hegemony of bureaucratic-technical reason in our lives.”<sup>45</sup> I believe Wittgenstein would agree with Taylor that the disengaged view of ourselves is not only endemic to philosophy but is also what I above called one of the central organizing myths of modernity. Accordingly, I see taking the rule-following remarks in the *Investigations* as calling into question the way in which this view finds its expression in philosophy as in turn providing support for the claim that Wittgenstein was a philosopher of culture. If this is true, moreover, then it becomes very plausible to claim that Wittgenstein’s cultural concerns should figure as an important framework within which we

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<sup>44</sup> The issue does not concern our capacity to take a disengaged stance toward the world per se. The issue arises, rather, when a more “flexible” understanding of ourselves, an understanding in which the disengaged stance is seen as merely one way we may comport ourselves toward the world, hardens into the disengaged view or picture, wherein the disengaged stance is taken to indicate how we are fundamentally. When, on the other hand, one becomes aware that our ability to take this stance toward the world is only one mode of our embodied understanding, one can also become aware that the disengaged view of human beings exhibits a kind of cultural commitment. This is because when we become aware of the background necessary for comporting ourselves toward the world in this way, we realize too that the main source of the forgetfulness, the source of the commitment to the view of ourselves as disengaged subjects, is that very background, not anything that pertains to our ability to take the stance itself. One way to see what the cultural commitment is that drives the disengaged view in philosophy, is to take stock of why the disengaged stance is so highly prized in our culture. One obvious reason for this is that taking a disengaged stance toward the world increases our powers of prediction and control. This power is not the only value associated with the disengaged view, however. As Taylor notes, it is also closely tied to our modern sense of ourselves as ethical and political agents, which probably accounts for a large part of our reluctance to abandon it: “Among the practices that have helped to create this modern sense are those that discipline our thought to disengagement from embodied agency and social embedding. Each of us is called upon to become a responsible, thinking mind, self-reliant in our judgments (this, at least, is the standard).” Taylor, “Follow,” 169.

<sup>45</sup> Taylor, “Lichtung,” 78.



engage those remarks, remarks that by nearly all accounts occupy a central place in his later writings.

In the introduction I wrote that part of the point of this paper is to show how it broadens our perspective on the nature of Wittgenstein's philosophy when we see that two ways of thinking about the concept of progress in his thought are actually woven together in his work. In part 2, I discussed one way for thinking about the concept of progress that has been relevant here. In that way, progress between the early and later Wittgenstein is not marked out by a more successful achievement of constructive philosophical ambitions, but rather by a way of doing philosophy that more successfully deconstructs those ambitions and better shows up as empty such ambitions to make philosophical progress. Here I have been trying to bring out the way Wittgenstein's deconstruction of the disengaged view in the remarks on rule-following represents an engagement with the concept of progress in a different sense. We can see this if we can see that the disengaged view in philosophy is one reflection of a kind of uncritical assumption about and mythological demand on rationality that has often characterized our culture's thinking about progress in science, technology, politics, and morals.<sup>46</sup> We find these two ways of thinking about progress in Wittgenstein's thought woven together by Wittgenstein himself in the following excerpt from a 1930 sketch for a forward to *Philosophical Remarks*:

It is all one to me whether the typical western scientist understands or appreciates my work, since in any case he does not understand the spirit in which I write.

Our civilization is characterized by the word progress. Progress is its form, it is not one of its properties that it makes progress. *Typically* it

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<sup>46</sup> I have in mind, for example, certain widespread conceptions of the nature of scientific rationality, once (and perhaps still) prevalent in the philosophy of science as well as in popular histories of science. Two remarks by Wittgenstein are worth juxtaposing in this context. The first is from 1940, the second from 1947: "One of my most important methods is to imagine a historical development for our ideas different from what actually occurred. If we do that, the problem shows us a quite new side." "Perhaps one day a culture will arise out of this civilization. Then there will be a real history of the discoveries of the 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> centuries, which will be of profound interest." Ludwig Wittgenstein, *Culture and Value* (henceforth, "CV"), ed. Georg Henrik von Wright, trans. Peter Winch (Oxford: Blackwell Publishers, 1998), 45 and 73.



constructs. Its *activity* is to construct a more and more complicated structure. And even clarity is only a means to this end and not an end in itself.

For me on the contrary clarity, transparency, is an end in itself.

I am not interested in erecting a building but in having the foundations of possible buildings transparently before me.

So I am aiming at something different than are the scientists and my way of thoughts move differently than do theirs.<sup>47</sup>

This passage is not, however, the only place where I want to say that Wittgenstein allows the word “progress” to refer simultaneously to the two senses of progress that account for the ambiguity in the title of this paper. I believe we also find the word “progress” doing double-duty, so to speak, in the motto for the *Philosophical Investigations*, a place that must be thought of as a highly significant point in Wittgenstein’s authorship.

Returning then to the motto, recall that in picking up earlier on an idea by Baker and Hacker, I indicated my sense that the motto is intended to convey to the reader a need for caution when reading the *Investigations* against the background of the *Tractatus* (and I went on to try to make clear at the outset how I understand that need in light of my own interpretative commitments.) We saw, however, that while Baker and Hacker do make brief note of the motto’s original context, a scene in Nestroy’s play where a wide-eyed belief in historical and technological progress is clearly being ridiculed,<sup>48</sup> rather than exploring this direction, they immediately go on to assert, “It remains, however, unclear what Nestroy’s remark is intended to convey as a motto for PI.” One wants to say to this that of course there are questions about the relevance of the motto for our understanding of the *Investigations*, including, though, questions about the significance of that original context. The brevity with which Baker and Hacker pass over that original context, however, betrays a conviction that it has little or nothing to contribute to that understanding, as though the fact that the motto refers us to such a context were, so to speak, merely

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<sup>47</sup> CV, 9. Incidentally, this sketch is dated 6 November 1930, about seven weeks after Wittgenstein refers to the motto in a letter to Schlick. See n. 7.



decorative. And this effectively excludes the very possibility that in citing the words of an important Austrian dramatist and cultural critic, Wittgenstein may be signaling an idea that I have been trying to make plausible here on somewhat independent grounds: that what the author of the *Philosophical Investigations* thought about what he calls in the preface the "darkness of these times," including what he thought about the concept of progress in a cultural-historical sense, was internally related to how he conceived of his own work: in its composition, method, and style; in its relation to his earlier work; in the sort of transformation he hoped it might facilitate in those who read it; perhaps particularly in the transformation of their thinking about progress; and, of course, in light of the fact that he felt the work to have been written in a time where hardly anyone felt the need or saw the point of such a transformation.

#### IV

It may seem obvious to some readers that the directions in Wittgenstein's thinking that I have been tracing out here justify the impression some have had that his work expresses or supports a form of political and social conservatism. Recall from above what Baker and Hacker say of the motto: "In its original context it expresses such negative views on progress as would harmonize with W.s own repudiation

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<sup>48</sup> I shall quote at length here Stern's description of the motto's original context (the translations are his): "The lines that lead up to the motto in the play are spoken by Gottfried Herb, the hero, in a monologue that begins by deploring how little evil has been removed from the world, despite all our inventions, and then continues: 'And yet we live in an era of progress, don't we? I s'pose progress is like a newly discovered land; a flourishing colonial system on the coast, the interior still wilderness, steppe, prairie. Anyway, the thing about progress is that it looks much greater than it really is.'" This line introduces a six verse satirical song, complete with a full score, which drives home the point of Herb's observations about progress with lurid examples (see Stern, "Nestroy," 427-31). Each verse divides into three parts: (1) how bad things used to be, (2) how much better they seem now (3) why they're actually worse than ever. The refrain at the end of (2) is always: "It's really *splendid*, / How progress is so great!" And the last two lines of (3) are always: "So, progress examined more closely, / Hasn't made the world much happier." See *ibid.* 430-1.



of this aspect, and this ideal, of European culture." The wording and lack of elaboration leads me to suspect that it is simply being taken for granted here that the motto is an expression of Wittgenstein's endorsement of the antiprogressive views he finds espoused in Nestroy's play, views we can anyway assume "harmonize" with his own.<sup>49</sup> There is certainly no shortage of remarks or recorded conversations that could form the basis for such an assumption.<sup>50</sup> Nevertheless, I want to close by giving some reasons for not making it.

A first step in defusing any "charge" of conservatism against Wittgenstein is simply to admit the obvious fact that he was attracted to the thought of many writers who, in one way or another, can fairly be classified as conservative.<sup>51</sup> But interest, attraction, even applause, should not be confused with endorsement. To do so is to forget just how much creative and intellectual achievement comes about through very complicated pathways of appropriation. In a reflection on his originality as a philosopher that dates from 1931 Wittgenstein writes:

I think there is some truth in the idea that I am really only reproductive in my thinking. I think I have never *invented* a line of thinking but that it was always provided for me by someone else & I have done no more

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<sup>49</sup> Whatever interest Wittgenstein may have taken in the work of conservative thinkers such as Spengler, Weininger, and Ernst, it is far from clear that in the original context of *The Protégé* the motto to the *Investigations* expresses reactionary views, either those of the main character Gottfried Herb or those of Nestroy. Nestroy himself was no reactionary. Indeed, he was highly critical of the pre-1848 ruling powers. Furthermore, it was not likely to be just any conception of progress that an Austrian satirist of Nestroy's time and outlook could be expected to ridicule, but rather a metaphysically charged one emanating from an increasingly domineering and self-confident Prussia. I am grateful for comments by Herbert Hrachovec and Walter Sokel on these issues.

<sup>50</sup> Just to name a few: the already mentioned sketch for a forward to *Philosophical Remarks*; the actual forward to *Philosophical Remarks*, ed. Rush Rhees, trans. Raymond Hargreaves and Roger White (Oxford: Blackwell Publishers, 1975); "Remarks on Frazer's Golden Bough," *Synthese* 17 (1967): 233–53; and Paul Engelmann's recounting of one of Wittgenstein's discussions with Russell in Innsbruck in Ray Monk, *The Duty of Genius* (New York: Free Press, 1990), 211.

<sup>51</sup> I have in mind, for example, Spengler, Weininger, Schopenhauer, Tolstoy, Dostoyevsky, and Ernst. One should also admit that he was repulsed by the thought of some writers who can fairly be described as progressive. Russell is perhaps the most significant example of the latter.



than passionately take it up for my work of clarification. That is how Boltzmann, Hertz, Schopenhauer, Frege, Russell, Kraus, Loos, Weininger, Spengler, Sraffa have influenced me.<sup>52</sup>

Despite the fact that Wittgenstein includes the name of the arch-conservative Spengler among those whose work has influenced him, there is no reason to conclude from this that he merely adopted Spengler's philosophical or political views. There are, on the other hand, many good reasons for thinking that Wittgenstein nearly always introduced profound modifications into whichever line of thinking he took up for his work of clarification.

Yet this point alone is unlikely to dispel the notion that the work of conservative thinkers like Spengler was not merely fodder for Wittgenstein's work of clarification. For it will not remove the widespread impression that Wittgenstein shared too much of their conservative spirit for this to be the case. And so the conclusion can still be drawn that Wittgenstein was a political conservative of one kind or another.<sup>53</sup> But we need not draw this conclusion if it is possible to

<sup>52</sup> CV, 16.

<sup>53</sup> Someone who has drawn this conclusion with great enthusiasm is J. C. Nyíri. What is interesting about Nyíri's writings on this subject is the way he explicitly connects his claim that Wittgenstein was a conservative with a reading of the *Investigations*. Nyíri finds in that work an account of meaning that he believes gives a theoretical underpinning to a particular brand of political conservatism, a conservatism for which he evidence in Wittgenstein's interest in thinkers like Spengler, Ernst, Dostoyevsky, and so forth. (Of course one wonders which came first, finding the account of meaning in the text or finding the conservatism in these remarks.) See J. C. Nyíri, "Wittgenstein's New Traditionalism," in *Essays on Wittgenstein in Honour of G. H. von Wright, Acta Philosophica Fennica* 28 (1976): 1-3; and idem., "Wittgenstein's Later Work in Relation to Conservatism," in *Wittgenstein and His Times*, ed. Brian McGuinness (Oxford: Blackwell Publishers, 1982), 44-68. In her paper, "Wittgenstein's Philosophy in Relation to Political Thought," in *The New Wittgenstein*, 118-45, Alice Crary shows convincingly that Nyíri's interpretation of the *Investigations*, which forms the theoretical underpinning of his reading of Wittgenstein as a political conservative, is both unworkable and unconvincing as a reading of the text. Crary says that she is interested in the implications for political thought of Wittgenstein's philosophy, and not in the nature or implications of his political inclinations; so she does not say much about what Wittgenstein wrote and said elsewhere about culture and tradition that might have inclined Nyíri to find such a theory of meaning in the *Investigations* in the first place. I am arguing here that we can also resist the temptation to let these remarks incline us in Nyíri's direction. At the end of her paper she holds out the hope that Wittgenstein's later work could be expressive of a spirit of critical reflection that is the animating ideal behind the idea of liberal democracy. I think this is an issue greatly worth exploring.



embrace the spirit of someone's thought, all the while rejecting the content, in this case the politics, of that thought. A story about Dostoyevsky's work as the publisher of the political and literary magazine *Time* may help illustrate what I mean.

Throughout the nineteenth century a fierce debate raged in Russia between westward-looking reformers and czarist conservatives. At issue were the condition of the serfs, the authority of the czar. In his editorial for the opening issue of *Time* in 1861, Dostoyevsky makes the strange claim that what will distinguish his paper from others is that, unlike his political opponents, he is really convinced of what he is saying, even if it may sound as though taken from a "copybook of maxims." In the following editorials he goes on to attack the ideas of Westernized liberals, while sympathizing with their generous spirit, and to support the conservative ideas of the czarist camp while attacking their reactionary harshness. . . . No idea can be judged without consideration of the mentality that anchors it in reality.<sup>54</sup>

Without denying the difficulties we may have in assimilating Dostoyevsky's attitude toward political questions, the important thing in the present context is the possibility that Wittgenstein conceived of his own position in structurally the same way. In the passage from the sketch for a forward to *Philosophical Remarks* quoted above, Wittgenstein states that it is the spirit in which he writes that is different from that of the typical Western scientist. Earlier in the same sketch one reads that it is the spirit of American and European civilization that is unsympathetic and alien to him.<sup>55</sup> I take it that what attracted Wittgenstein to certain conservative thinkers was a certain sensitivity to history, practice, and tradition. He made no secret of the disdain he felt for those in whom he found such sensitivity lacking.<sup>56</sup> But these considerations make it possible to postpone the question of whose (if anyone's) actual policies Wittgenstein endorsed, and

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<sup>54</sup> The next paragraph begins, "Needless to say, this peculiar approach exercised no political influence, completely confused the censors and was partly responsible for the decision to close down *Time* in 1863." This is from a recent review of a new translation of *Notes from Underground*. See Tim Parks, "Description of a Struggle," *The Nation* (14 June 2004): 42-3.

<sup>55</sup> CV, 8.

<sup>56</sup> "What narrowness of spiritual life in Frazer! Hence: how impossible for him to comprehend a life different from the English life of his time. Frazer cannot imagine a priest who is not basically an English parson of our time, with all his stupidity and vapidness." See "Remarks on Frazer's Golden Bough," 238.



so they make it uncompulsory to think that he was a political conservative.<sup>57</sup>

In the context of this paper, however, the main reason for opposing the idea that what I have said licenses an ascription of some kind of political conservatism to Wittgenstein is that this idea has no basis, if the "ideal" of European (and American) culture that he "repudiates" is a metaphysical conception of progress, and indeed, one that is symptomatic of the disengaged view of rationality that the remarks on rule-following are supposed to show up as empty. In a passage cited above, Wittgenstein says that the word "progress" characterizes the form of our civilization. I read him as saying there that progress functions (or perhaps malfunctions) as our modern *Betrachtungsform* ("form of reflection" or "form of observation") for the way we look at the world. This idea of a *Betrachtungsform* is particularly significant for the later Wittgenstein's grammatical investigations. One thing these investigations are meant to bring out is that when a "prototype" (*Urbild*) or "paradigm" (*Paradigma*) shapes the way we think and talk about things, when it provides the form of our language game, then statements about the prototype are not ordinary assertions but rather grammatical remarks that present to us the form of our discussion. If we are clear about the role of the prototype in our discussion, then we shall be neither tempted to construe such grammatical remarks as necessary substantial truths, nor puzzled when our ordinary assertions about the objects of our discourse seem to lack the necessity that belongs to the grammatical remarks that hold only of the pro-

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<sup>57</sup> Given the weight that McDowell gives to the notions of tradition and *Bildung* in *Mind and World*, it is perhaps not surprising to find him addressing the question of conservatism at the close of the book. On this issue Sabina Lovibond writes: "The language of 'decline', 'disappearance', 'threat' and so forth, with all its conservationist connotations, may suggest that the 'politics of significance' (for it does not seem altogether satisfactory to speak here of an *ethics*, since it is the very possibility of ethics that is at stake) will be, at least in a loose sense, a 'conservative' one. However, we should remember that the defence of 'practices', and of the values internal to them, against the encroachments of instrumental rationality is a project in which the left has at least as much of an investment as the right." Sabina Lovibond, "The Late Seriousness of Cora Diamond," *Journal of Philosophical Research* 22 (1997): 54.



totype.<sup>58</sup> This is the upshot of the following remark by Wittgenstein from 1937:

The only way for us to avoid prejudice—or vacuity in our claims, is to *posit* the ideal as what it is, *namely* an object of comparison—a measuring rod as it were—within *our way of looking at things*, and not as a preconception to which everything *must* conform. This namely is the dogmatism into which philosophy so easily degenerates. But then what is the relation between an approach like Spengler's and mine? Injustice in Spengler: The ideal doesn't lose any of its dignity if it is posited as the principle determining the form of one's approach [*Betrachtungsform*]. A good unit of measurement.<sup>59</sup>

To say, then, that progress is the *Betrachtungsform* of our civilization means that the concept of progress shapes the way we tend to think and talk about things. We thus fall into metaphysical confusion when we take the grammatical remarks that delineate the conceptual form of our discourse, its *Betrachtungsform*, for unconditioned assertions of fact. We become equally confused, moreover, when we fear that any of our ordinary assertions (about progress, for example) are in jeopardy since they lack the kind of necessity that is granted to a prototype or paradigm. Another way to describe this confusion is to say that we want the validity of these ordinary assertions guaranteed, as it were, completely independently of any of our prior agreements as to what counts as correct or incorrect. But this is no more than a recapitulation of the mythological demand on rationality criticized in the rule-following remarks, the demand that our understanding of the rule be conceptually independent, both of those responses that we have previously accepted as being in accord with the rule, and of all further possible moves we could give. An important consequence of these considerations for the concept of progress, however, is that once we are clear about the distinction between grammatical remarks and statements of fact, we should see that there is nothing mysterious or inherently wrong with using the word “progress” or, for that mat-

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<sup>58</sup> This point is put succinctly in this remark from 1947: “Philosophical investigations: conceptual investigations. The essence of metaphysics: that the difference between factual and conceptual investigations is unclear to it. The metaphysical question always has the appearance of being a factual one, although the problem is a conceptual one.” *Wittgenstein's Nachlass*, Ms 134, p. 153, 27 April 1947 (my translation).



ter, its opposite, "decline." (And had Wittgenstein taken the latter to be the form of our civilization, identical considerations would apply to

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<sup>59</sup> CV, 30–3. See also *PI*, 50. Much of the remark quoted here appears in *PI*, 131. As with *PI*, 122, the references to Spengler were removed in the typescript. Importantly, a form of reflection is usually given through a concrete example. That is, usually when Wittgenstein speaks of a paradigm, prototype, or object of comparison he means some specific exemplar (measuring rod, color patch, particular mathematical proof, set of marks, and so forth) that may serve as an object of comparison if, for instance, we are discussing two different language games or, as with Spengler, different cultural epochs. Thus, where Wittgenstein speaks of a historical period being characterized by a form, progress in our current case, there seems to be room here for his thinking that the form that characterizes an epoch could be given through a concrete paradigm. Though I am not aware that Wittgenstein ever gives a paradigmatic example of progress, he does say that the "spirit of our civilization makes itself manifest in its industry, music, architecture, and fascism and socialism." See CV, 6. There are, moreover, interesting questions concerning the relation between terms like "form of reflection" (*Betrachtungsform*, *Form der Betrachtung*, *Betrachtungsweise*), "paradigm" (*Paradigma*) "prototype" (*Urbild*), "Object of comparison" (*Vergleichsobjekt*), and so forth. We see Wittgenstein employ several of them in this remark where he criticizes Spengler for confusing statements about the form of reflection or object of comparison with ordinary assertions of fact: "Spengler could be better understood if he said: I am *comparing* different periods of culture with the lives of families; within the family there is a family resemblance, while you will also find a family resemblance between members of different families; family resemblance differs from the other sort of resemblance in such and such ways, etc. What I mean is: we have to be told the object of comparison (*Vergleichsobjekt*), the object from which this way of viewing things is derived, so that prejudices do not constantly slip into the discussion. Because then we shall willy nilly ascribe what *is true* of the prototype of the approach (*der Betrachtung wahr ist*) to the object to which we applying the approach as well; and we claim 'it must always be.' This comes about because we want to give the prototype's characteristics (*Merkmale des Urbilds*) a foothold in the approach. But since we confuse prototype and object we find ourselves dogmatically conferring on the object properties which only the prototype necessarily possesses. On the other hand we think the approach (*Betrachtung*) will lack the generality we want to give it if it really holds only of the one case. But the prototype must just be presented for what it is; as characterizing the whole approach and determining its form. In this way it stands at the head and is generally valid by virtue of determining the form of approach (*Form der Betrachtung*), not by virtue of a claim that everything which is true only of it holds for all the objects to which the approach is applied. . . . One should *thus* always ask when exaggerated dogmatic claims are made: What is actually true in this. Or again: In what case is that actually true" (CV, 21–2). Wittgenstein carried this remark over into one of his typescripts, Ts 211, p. 73, 1 September 1931. Interestingly, a reworked version of this remark appears two years later in a different manuscript. See Wittgenstein's *Nachlass*, Ms 115, p. 56, 14 December 1933.



it.) We read at *Investigations* §116: “What *we* do is to bring words back from their metaphysical to their everyday use.” I believe that Wittgenstein hoped one of the true marks of progress in the *Investigations* would be its ability to clarify our relationship to the *Betrachtungsform* “progress,” thus allowing us to see how a lack of clarity distorts our view inside of and, even more importantly, outside of philosophy. In the present context, this means helping us to see how the everyday uses of “progress,” “decline,” and related terms can do all the work we need for them to do in the arenas of politics and social criticism.<sup>60</sup>

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<sup>60</sup> An early version of this paper was presented in May 2004, at the Center for the Study of the Sciences and the Humanities at the University of Bergen, Norway. I received there helpful comments from Gunnar Skirbekk. A later version was presented in June 2005, at a conference held in Skjolden, Norway, where I received helpful comments from Alice Crary and John McDowell.



## DIE SCHULDFRAGE SIXTY YEARS AFTER

BEREL LANG

**T**WO CONFLICTING VIEWS divide contemporary philosophers in reading the history of philosophy. One group reads the history of philosophy and the philosophers in it as if the latter were their own academic contemporaries, measuring their predecessors by what they themselves have to say about current philosophical issues. On this view, the fact that philosophers may have lived centuries ago, working in diverse cultures, traditions, and languages, makes no difference to our present assessment. The second group of contemporary philosophers regards the history of philosophy as embodying history *and* philosophy, holding that relation to be significant in assessing or even understanding thinkers of the past. On this account, philosophical writing is inseparable from its historical context, including its linguistic and literary medium: to read a text while ignoring these material conditions must then be to *misread* it.

Sixty years after its publication, Karl Jaspers's *Die Schuldfrage*<sup>1</sup> rewards reading from both these perspectives. And if the same claim might be made for philosophical texts more generally, it has a distinctive applicability to *Die Schuldfrage*. The importance of its historical setting for understanding Jaspers's book should be evident. The lectures on which it is based were delivered in January and February 1946, little more than half a year after the Nazi surrender to the Allies and with the populace and cities of Germany still in chaos, with hundreds of thousands of Germans—those left homeless by the War's destruction, former soldiers and prisoners of war, others who had been

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<sup>1</sup> Karl Jaspers, *Die Schuldfrage* (Heidelberg: Lambert Schneider, 1946). Quotations here are taken from Karl Jaspers, *The Question of German Guilt*, trans. E. B. Ashton (New York: Fordham University Press, 2000). The present essay was written as an introduction to the Hebrew translation of *Die Schuldfrage*, the volume recently published this year by the Magnes Press of the Hebrew University, Jerusalem. I am indebted to Professor Jacob Golomb of the Hebrew University for his reading and suggestions about the essay.



displaced from countries in the East—still streaming through the countryside and cities. It was in this context that German civil institutions (not fully “German,” since they were under the authority of the four occupying powers) began the effort at revival, hoping to reclaim the “normal” character that twelve years of Nazi dictatorship and the war it initiated had violated. It was also in this context that Jaspers himself, who in 1937 had been “retired” from his position as Professor of Philosophy in the University of Heidelberg—mainly because his wife was Jewish<sup>2</sup>—was restored to that position in September 1945; soon after that, he began to prepare the lectures which he then delivered in January and February and from which *Die Schuldfrage* would emerge, then to be published in Heidelberg later in the same year.<sup>3</sup>

But this historical setting, which provided both the pretext and context of Jaspers’s book, is but one element of its structure. For although *Die Schuldfrage* appeared soon after the War’s end, it is clearly a meditated work, intended in both the questions it raises and Jaspers’s responses to them to go beyond the particular historical occasion from which it sets out. The concerns and issues at its focus,

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<sup>2</sup> This relationship affected not only Jaspers’s career but also threatened his life as well as his wife’s—sufficiently so (in their thinking about it) that they had obtained poison pills which they agreed to use in the event of their deportation. Indeed, although they had survived the years of Nazi rule until then with no physical harm, the liberation of Heidelberg by the American forces (1 April 1945) anticipated by two weeks the date that had been set for their deportation. (A comparable account is that of Viktor von Klemperer and his non-Jewish wife, who avoided their scheduled deportation only because of the destruction and chaos caused by the Dresden bombing.)

<sup>3</sup> The first post-War course that Jaspers offered—beginning in November 1945, in the faculty of theology—was on the topic of “Proofs of God’s Existence.” It is worth noting that at this same time, Jaspers was not only preparing the lectures that later turned into *Die Schuldfrage*, but he was also participating in a more immediate and concrete judicial review—responding to the request of a special faculty committee at the University of Freiburg who had requested Jaspers’s opinion on a just disposition of Martin Heidegger’s status at that University, given Heidegger’s conduct during the Nazi years. Jaspers’s response (letter of 22 December 1945) was to propose continuation of Heidegger’s pension but to “suspend him from teaching for several years pending review of his subsequent published work.” Jaspers’s letter to the special committee included a statement which he requested should not be shown to Heidegger, in which he wrote, that “Heidegger’s mode of thinking, which seems to me fundamentally unfree, dictatorial, and uncommunicative, would have a very damaging effect on students at the present time.” See Hugo Ott, *Martin Heidegger: A Political Life*, trans. Allan Blunden (New York: Basic Books, 1993), 338–9.



moreover, had held Jaspers's attention well before Germany's official surrender in May 1945 and the opportunity which that provided for a public examination within Germany of its guilt. The internal evidence of Jaspers's early concern with the *Schuldfrage* is as strong as its external evidence;<sup>4</sup> the book's phenomenology of German reactions to the Nazi regime provides so acute an analysis that contemporary historians, more than a half-century later, have been sounding themes which closely resemble those anticipated by Jaspers. So, for example, Jaspers refers to the role of the Wehrmacht and not only the S.S. in implementing Nazi criminal orders<sup>5</sup>—arguing against what became a standard post-War myth to the effect that the Wehrmacht, in contrast to the S.S., had had no part in Nazi atrocities. So too, Jaspers writes explicitly and critically about the apologetic accounts that stress Germany's own suffering during the War (from military casualties and from civilian bombings)—an increasingly prominent (and in his judgment, misleading) theme that also has flourished recently in German public discourse.<sup>6</sup>

Such insight into the historical situation of Germans and Germany during the War and its immediate aftermath attests to Jaspers's acumen (and courage), but it also reflects a philosophical and moral awareness leading up to and beyond it, most notably through the relationship asserted in the text between the author and its likely readers. Some version of the latter relation is arguably a factor in the structure of all texts (philosophical as well as more designedly "literary" ones), but for *Die Schuldfrage*, it is central. Part of its importance there stems from the unavoidable presence of Jaspers's own history in his writing. He had, after all, remained in Germany throughout the War; more than that, he had remained passive in the face of a regime which he knew to be committing moral outrage. In writing about German

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<sup>4</sup> On the external evidence, see Suzanne Kirkbright, *Karl Jaspers: A Biography* (New Haven: Yale University Press, 2004), 39–42.

<sup>5</sup> *Die Schuldfrage*, 48.

<sup>6</sup> Jaspers goes so far in presenting this theme as to claim that of all those who suffered in the War, German distress "is comparatively the greatest"; he never provides what he takes to be the "comparative" evidence to support this claim—but he does move quickly to contextualize it with his own rejoinder "that we Germans . . . also bear the greatest responsibility for the course of events until 1945." See *Die Schuldfrage*, 108.



guilt, then, he acknowledges as a starting point his own history (and failings) among those he goes on to discuss.<sup>7</sup>

This by itself, however, need not have brought him to the rhetorical perspective in the book which has readers and writer appearing as equals before a court judging moral responsibility. Jaspers is certainly aware of differences in conduct among Germans during the War. (He also knows, and carefully details, the rationalizations they have given themselves and others for those actions.) But he makes it clear that he wants his German readers of 1946 to set out with him in thinking about these matters with no presumption of difference or invidious comparison either among themselves or in relation to him as author. The book is about guilt, in the context of Germany's war, on the part of all Germans—at least of those Germans willing to confront a book with the title, *Die Schuldfrage*, so soon after the conclusion of a devastating war for which their homeland had been largely responsible.

This framework would admittedly be self-selective in relation to the book's audience—the title itself putting off some potential readers, and what Jaspers had to say about German guilt putting off others—but there was little that Jaspers could do about this if he was to write about the subject of German guilt at all. What he could do, and what he accomplished with remarkable evenhandedness, is to speak from the inside about the German people both as individuals and as

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<sup>7</sup> Jaspers seriously considered the possibility of leaving Germany on at least two occasions, once in relation to a potential position at Oxford, once in relation to a position at Basel. (The latter came up twice, and the only thing that deterred him from accepting the second of those offers was the denial of an exit visa for his wife.) Was there, for Jaspers, a moral difference between leaving Germany or remaining there under the Nazi regime? It does not seem so—since the considerations he discusses in relation to the opportunities he had for leaving Germany focus on the quality of the offers, not on moral reasons for deciding one way or the other. He makes clear in *Die Schuldfrage* that he does not consider external migration as a stronger (or perhaps any) form of resistance than internal migration, since by themselves, neither constitutes active opposition. He does condemn himself for his conduct while remaining in Germany, for what he calls “my silence under Nazism.” See his letter to Hannah Arendt of 16 May 1947, in *Hannah Arendt—Karl Jaspers: Correspondence, 1926–1969*, ed. Lotte Kohler and Hans Saner, trans. Robert and Rita Kimber (New York: Harcourt Brace and Jovanovich, 1992), 88. In a letter to Arendt soon after that (20 July 1947; *ibid.*, 94), however, he says that “I would act again just as I did in the past”—a puzzling commentary on the earlier judgment.



Germans—and most importantly, in relation to both these aspects of identity, to treat his readers as equals at least in their initial relation to the Nazi regime. This sense of equality or likeness is sustained even though the conceptual distinctions he makes could be applied by or to his readers; for there, also, he seeks his readers' participation and even concurrence for the types and degrees of guilt he identifies.<sup>8</sup> Readers and author alike are thus asked to scrutinize themselves as they would be forced to speak if they were facing cross-examination in court.

Viewed in this light, *Die Schuldfrage* not only had been meditated before it was written, but it also embodies the features of "the meditation" as a traditional philosophical genre, a genre written not only or even primarily for an audience to read, but for its readers to *do*. *Die Schuldfrage*'s readers thus have a twofold task, to address the future as well as the past. And if much of the historical evidence that Jaspers cites touches directly the experience of only some of its readers, there are also issues it raises for all readers, German or not, and for all of them equally. The relevance of his rendering of moral or political judgment, of responsibility and guilt, is thus not restricted to one historical moment, no matter how extraordinary. Given the time and place in which Jaspers writes, close to the evidence of extreme violence and suffering, and recognizing the temptation provided by such evidence for high-handed moralizing, the inclusive and equable relation Jaspers constructs between author and reader was and remains a remarkable accomplishment.

Admittedly, Jaspers achieves this effect at the cost of excluding two groups of potential readers in his immediate setting: one of them central to the events he writes about, the other peripheral but still significant. For the specific "implied readers" of Jaspers's book are limited to those who during the Nazi period or immediately afterward became aware, first, of a gap between Nazi ideology and their own convictions, and then, second, of a gap between those convictions and their conduct under Nazi rule. This requirement would thus exclude those Germans who still remained committed to Nazi principles, not

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<sup>8</sup> Jaspers is so conscious of his audience as Germans that he writes to Hannah Arendt, in connection with the possibility she had raised of publishing a translation of *Die Schuldfrage* in the U.S., "I can't imagine it [as worth translating] . . . It is too much directed at my German readers." See letter of 9 June 1946, in *Hannah Arendt–Karl Jaspers*, 43.



because the types of guilt that Jaspers designates do not apply to them, but because there could be no point in addressing *them* about guilt when they believe still in the legitimacy of what the Nazis did. "Hitler and his accomplices, that small minority of tens of thousands [!], are beyond moral guilt for as long as they do not feel it. They seem incapable of repentance and change. . . . Force alone can deal with such men who live by force alone."<sup>9</sup> The second group whom Jaspers does not directly address are what have become known in the Holocaust's aftermath as "bystanders": nations or individuals not directly threatened by Nazi rule (even if living under the Occupation) who faced the decision of whether or not to act, and if so, of how. Jaspers does not entirely exclude the latter from his discussion of guilt, since he does write about the "others"—other than the Nazis or the German populace—who bear some responsibility for not opposing Nazi actions in a way that might have deterred further ones. (His examples here are also acute and pointed: the weak response in the 1930s of other European countries to Hitler's violations of extant treaties, including the blind eye to Mussolini's attack on Ethiopia and France's acquiescence in Germany's occupation of the Rhineland; the Vatican pact with Germany soon after Hitler came to power in 1933; the 1936 Berlin Olympic games in which the world's democracies participated; and the ways in which the officially "neutral" countries of Europe co-operated with Germany after the outbreak of war in 1939.<sup>10</sup>)

That Jaspers excludes the first of these two groups from "the question of guilt" might seem a serious flaw: if anyone ever deserved a verdict of guilt, surely it would be those who actively supported Nazi ideology and practice and who were willing to continue in this view even after the regime fell. The reason for this exclusion, however, is integral to Jaspers's analysis of the guilt, namely, his contention that for *moral* guilt, the person judged must himself concur in the finding.

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<sup>9</sup> *Die Schuldfrage*, 57.

<sup>10</sup> *Die Schuldfrage*, 85-9. The concept of the "bystander"—or in Jaspers's term, the "other"—is ambiguous. It has been used in its broadest sense to include everyone who was not both a "formal" and actual adversary; on this view, citizens also of countries occupied by Germany (and non-combatant Germans themselves), as well as the citizens of countries and the countries that officially declared "neutrality," would count as "bystanders." The semantic issue here is, of course, a substantive one: the question of the moral responsibility of onlookers in situations where human lives are at stake.



I indicate below what seem to me certain substantive objections to this requirement, but for the moment I only note it as a feature of his analysis. It does not in itself, at any rate, disrupt the parity that Jaspers asserts in the relation between him as author and those readers whom he does mean to address.

Jaspers's account of the guilt question itself revolves around a fourfold distinction in terms of which he asks German readers who, like himself, lived through the war years, to examine and judge their conduct. These four types of guilt are (1) criminal guilt, (2) political guilt, (3) moral guilt, and (4) metaphysical guilt. In identifying these categories, Jaspers intends primarily to bring his fellow Germans face-to-face with the situation in which they (and he) now, in 1946, find themselves, as they reflect on how they acted (or failed to act) during the twelve years of the Nazi regime. Jaspers is aware, however, that this purpose would have little weight unless the distinctions he proposes were also generally applicable: there can be no special pleading in relation to the charge of moral guilt any more than there could be in relation to a charge of moral innocence. Jaspers's readers in the present time are thus justified in assessing his account for its relevance now as well as for its reflections on Nazi Germany. State-sponsored atrocity and the questions of responsibility or guilt in relation to it did not originate in the Third Reich, and the years since have demonstrated that they did not end with that regime's fall. Indeed, even for much less extreme actions than those initiated by Germany, questions about the nature and differences of individual and group responsibility (and, in the event, guilt) are demonstrably important; here, too, Jaspers's analysis is pertinent.

Criminal guilt, the first type mentioned by Jaspers, is, as he conceives it, straightforward, and he devotes less space to it than to his other categories. Criminal guilt implies the breaking of a recognized law at whatever level the law applies, local, national, or international. Such guilt—Jaspers makes his opinion on this clear—is individual, the outcome of an act committed always by *someone* (the exclusion of group criminal guilt here is conscious and explicit). The determination of criminal guilt, Jaspers further notes, falls under the jurisdiction of "the court"; his assumption here is that if laws which can be violated are in effect, there must also exist courts in a position to judge those violations.



Jaspers avoids the question here of whether disobedience to bad laws incurs criminal guilt. In a strict sense, it would clearly seem to do so: the violation of a law remains a violation quite apart from the issue of whether the law itself is good or bad (the façade of legality within Germany, for example, held for many of the restrictions adopted by the Nazis—as, for example, in the Nuremberg Laws of 1935). On the other hand, Jaspers also, although without developing this view, alludes to a role in determining criminal guilt for “*natural law*,”<sup>11</sup> implying that the laws of governments can be scrutinized—still in legal terms—from that different vantage point which is (he implies) superior to any provided by national or even international laws and courts. He later appeals to natural law in contesting the objection that the post-War Nuremberg trials of Nazis were based on the application of laws which did not exist when the “crimes” alleged were committed (this, on the accepted principle of “no punishment without a law”).<sup>12</sup> Jaspers is quite explicit here in holding that natural law may apply in either the presence or the absence of national or international law. Thus, for Jaspers, the first Nuremberg Trial, ongoing when he was delivering the lectures at the University from which *Die Schuldfrage* emerged, was a legitimate forum for judging the twenty-four Nazi defendants on grounds of their criminal violations. (That trial began in Nuremberg on 20 November 1945, with the verdict handed down on 1 October 1946; it is worth noting that Jaspers did not oppose the death penalty at the outcome of this trial, although he did so in other contexts.)

Jaspers’s second category of political guilt is the most complex of the four types of guilt he distinguishes; it is arguably also the most contestable. Political guilt, he asserts, is a consequence stemming from “the deeds of the state whose power governs me and under whose order I live. Everybody is responsible for the way he is governed.”<sup>13</sup> Guilt of this sort is a function of states or governments; thus, he recognizes, judgments of political guilt will typically be determined by the victors in a conflict, at any rate as a function of political power (although even these judgments, he comments, may be “mitigated” by appeal to “natural and international law”).<sup>14</sup>

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<sup>11</sup> *Die Schuldfrage*, 38.

<sup>12</sup> *Die Schuldfrage*, 49–50.

<sup>13</sup> *Die Schuldfrage*, 25.

<sup>14</sup> *Die Schuldfrage*, 25.



At the core of Jaspers's conception of political guilt is his address to the German public at large: "You must answer for the acts of the regime you tolerated."<sup>15</sup> Even Hitler's Germany, in this sense, becomes at least an expression of collective passivity or acceptance, and thus of complicity. In this sense, Nazi Germany also represented the collective will, with Germany as a nation then responsible for acts committed by its agents and with that responsibility extending also to its citizens who did not directly take part in those acts and even to those who in spirit may have opposed the acts. Understood in this way, guilt or responsibility has future as well as present implications for any state and its citizens. Such future implications become a complicating factor in the conception of political guilt, since unlike individual guilt which in its moral consequences is restricted for an individual to his lifetime, once future considerations are added, the guilt of a state and of its citizens as citizens may last much longer. Indeed, it would seem then to have no natural or formulaic limit.

A second, still larger difficulty in Jaspers's conception of political guilt is his insistence on distinguishing it from his third category, of moral guilt—on the grounds that political guilt, like criminal guilt, can be objectively judged and also objectively punished (a country's actions can be judged from outside the country as violating or not violating international law). Moral guilt, as Jaspers contrasts it, requires the consciousness and assent of the person judged. Before discussing this requirement of moral guilt, however, we do well to note certain less contentious cases where the line Jaspers draws between political and moral guilt clearly works, in particular as that distinction bears on Jaspers's view of what can be done to repair or "make good" on political guilt. He writes, "Acceptance of political liability is hard on every individual." "What it means to us is political impotence and a poverty which will compel us for long times to live on the fringes of hung and cold and to struggle vainly." "We answer to the victors, with our labor and our working faculties, and must make such amends as are exacted from the vanquished."<sup>16</sup>

Jaspers's view of political guilt here seems directed specifically to the matter of reparations, of determining how a state can respond to the finding of such guilt—with an obvious step to be taken in this connection, involving the determination of an equivalence in material

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<sup>15</sup> *Die Schuldfrage*, 43.

<sup>16</sup> *Die Schuldfrage*, 56, 72.



goods which the victors might then receive from the vanquished. For Jaspers, the price set in this context might even extend to the capital punishment of those conquered, but it would in general be more limited in scope, centered in what he calls "material possibilities": the state and its resources thus have the responsibility and, presumably, the wherewithal. In this sense, the judgment of political guilt and the reparations awarded as its consequence are impersonal; a neutral and presumably independent court would sit in judgment. And indeed, Jaspers goes so far in this direction as to insist that in the process of repairing political guilt, "I myself, my inner self is not affected . . . at all."<sup>17</sup>

In all this Jaspers is aware of the need to think historically and thus beyond the present generation in relation to political guilt; implicit here is what he recognizes as something on the order of group identity (he repeatedly and emphatically refers to himself *as a German*). On the other hand, he is also and just as emphatically opposed to imputing anything like collective guilt to a country or its citizens—thus claiming a distinction between two types of group identity and responsibility which is difficult to sustain and which raises problems in Jaspers's own account of it. So, for example, at the same time that he contests the notion of collective guilt, he writes: "We [Germans] further feel that we not only share in what is done at present . . . but in the links of tradition. We have to bear the guilt of our fathers. That the spiritual conditions of German life provided an opportunity for such a regime is a fact for which all of us are co-responsible."<sup>18</sup> Presumably something of this responsibility extends beyond the present and its connection to the past "of our fathers," also to the future, an extension strongly suggestive of the concepts of collective responsibility and guilt. To be sure, this reach to the future might also be viewed as only a material responsibility, not a moral one—implying an obligation for adjusting or putting right whatever might be done in practical terms. In these terms political guilt would remain individual: the guilt of individual citizens for the acts of their state, even when they themselves had no direct role, are thus translated into a responsibility for making good on wrongs committed, but only insofar as those wrongs can be translated into terms that *can* be made good. Political guilt, even if the state itself is at the focus, would in this way apply ba-

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<sup>17</sup> *Die Schuldfrage*, 68.

<sup>18</sup> *Die Schuldfrage*, 73.



sically to the individual, not the state: first, for the individual's support, tacit or explicit, for a state that has acted wrongly—and then, for being in a position to enable the state to make that wrong good by the payment of taxes or, more directly, by his labor. The responsibility and guilt that come under this heading are thus also in the end individual (and presumably finite).

Only on this interpretation would Jaspers's view of political guilt avoid the notion of collective guilt that he repeatedly rejects, undoubtedly because of his own more general emphasis on the centrality of individual freedom and responsibility. "It is nonsensical . . . to charge a whole people with a crime. The criminal is always only an individual. It is nonsensical, too, to lay moral guilt to a people as a whole."<sup>19</sup> This insistence is for him a matter of principle extending beyond Germany and the Germans and their political responsibility for Nazi criminality: "There is no such thing as a people as a whole. . . . People and state do not coincide, nor do language, common fate and culture."<sup>20</sup> Indeed, he cites in support of his disclaimer the time-worn canard (in this context, especially highly charged) that "the Jews are guilty of the Crucifixion." What stronger proof-text could there be of the dangers of "false substantialization"? For even if some Jews were indeed responsible for the Crucifixion, that would not justify a move to generalize about "*the Jews*."

The dangers that Jaspers points to in this way are indisputable; the view of collective guilt that he attacks has typically taken on racist or genetic features, claiming the biological inheritance of moral characteristics; indeed, the Nazis had made just that claim about the Jews as a "race." But Jaspers's own affirmation of something like German collective identity seems to run into similar problems. His position here seems in any event to leave untouched the question of what the status of political guilt among the citizens of a nation is in relation to the future responsibility of the group to whom it is ascribed: what, after all, are the future obligations of a community or collective vis-à-vis another group that their group has harmed? The model that Jaspers has in mind here seems much like a commercial or industrial one: if a worker is seriously injured in an accident where his employer is liable, a monetary "equivalent" is typically awarded. But even in those cases,

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<sup>19</sup> *Die Schuldfrage*, 34.

<sup>20</sup> *Die Schuldfrage*, 35.



it would be difficult to argue that the punishment fully makes good on the employee's loss—and in instances of mass atrocity like those for which Nazi Germany was responsible, it becomes still more difficult to imagine what adequate reparation would be. This problem has undoubtedly contributed to the very notion of “collective responsibility” extending to future generations, and so it also persists even among thinkers like Jaspers who in principle oppose the idea. It is also because of this tension that the questions persist of how far into the future and with what qualifications the claim of responsibility or obligation extends.

Again, Jaspers repeatedly affirms his sense of his own identity as a German, in this connection even using the term “consanguinity” with its biological overtones, as “we feel something like a co-responsibility for the acts of members of our family.”<sup>21</sup> “We feel ourselves not only as individuals but as Germans. . . . In my innermost soul, I cannot help feeling collectively.”<sup>22</sup> To what extent such feelings entail responsibility, however, Jaspers does not say; he thus leaves the question of German responsibility—its political guilt—in its consequences for the generations following him actual but indefinite. Insofar as “being” German means more than being an individual—and Jaspers clearly asserts this—the impact of collective identity and thus, too, collective responsibility, seems clearly deeper and broader than the assertion of individual identity. And indeed the post-World War II history of Germany in the matter of *Wiedergutmachung* or reparations attests to the same problem. For although post-War Germany has indisputably made serious efforts at accepting political responsibility—guilt—for the actions of the Third Reich, it is clear that both for the aggrieved victims and to some extent for the Germans themselves, the sense of political guilt persists in a way that cannot be reduced to limited material terms. In this way, a sense persists, however vaguely defined, of a collective and continuing responsibility for the German past and, in the event, for its guilt. Jaspers's analysis of political guilt certainly poses the problem here, but obliquely and without advancing a means of resolving it.

In looking further for such resolution in relation to the Nazi regime, one might first consider the possible usefulness of additional bargaining between the victims who feel that more should be done for

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<sup>21</sup> *Die Schuldfrage*, 73.

<sup>22</sup> *Die Schuldfrage*, 74.



the victims and Germans who feel that at this point enough *has* been done for them (or between those who feel that “enough” can never be done and those who assert simply that the time has come for closure). But a more promising lead seems to me to come from the possibility of rejecting the sharp distinction Jaspers draws between political guilt and his third category, moral guilt. For Jaspers, political guilt is impersonal: every citizen of a country bears responsibility for that country’s actions. (One might even expand this point to hold that political responsibility is not only universal but equal: one person or taxpayer equals one vote.) And since even citizens who disagree with particular actions or policies of their country nonetheless continue to remain there, to draw on and contribute to its resources, they become responsible even for policies or actions that they have in principle opposed. (Jaspers does not refer to those Germans who openly acted against the Nazi regime, almost invariably at the cost of their lives; the omission seems to me significant.) And why, the question persists, is not the individual’s support and responsibility for the state also a moral decision?

Jaspers answers the latter question with the claim that moral guilt refers to actions that a person does entirely as an individual and for which the person is obliged to answer not in relation to the policies or laws of a state, but to the demands of his own conscience. The prime example that Jaspers provides of this type of guilt is the common defense people offer for acts which they justify by contending that “orders are orders” (or in another version of the same cliché, that “I was only following orders”).<sup>23</sup> Jaspers objects here that no legal or political authority absolves the individual of responsibility for what he does; it is the individual himself who decides whether to follow the orders, and nothing external to him outweighs that responsibility. Jaspers recognizes that at times there may be mitigating circumstances (if, for example, a person acts under duress), but in many instances of actions that might have been but were not taken under the Nazi regime, this was not the case. And in those instances, the individual becomes morally guilty: responsible for his own decisions and actions which, in retrospect, he himself judges to have been wrong or bad.

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<sup>23</sup> *Die Schuldfrage*, 25.



Jaspers's contention that moral guilt is something that only the individual's own conscience can recognize or confirm seems itself, however, problematic. It may well be that only when a person acknowledges his own wrongdoing does the concept of moral responsibility and guilt become significant *for him*—but there is no reason why this should preclude someone else's judgment on him as morally guilty. Would one say of a Nazi official who remained convinced of the "justice" of the death camps, for example, that only the legal or political but not the moral category of guilt apply to him? The problem here, again, originates in Jaspers's insistence on a sharp distinction between political and moral guilt. If, for example, we ask in what sense the individual citizen of a country is responsible for his country's actions (the condition that Jaspers accepts for political guilt), we invariably come back, in my view, to individual acts which are not only "political" but also, in the term's usual sense, moral. When citizens pay income tax to a government that commits atrocities, the fact that they would be breaking the law if they refused to pay the tax is, as Jaspers argues, no justification for doing so. Surely paying or not paying one's income tax becomes at that point also a moral decision, although it is at the same time political, in that the state could not act as it does if all such taxes were withheld. This objection does not mean that there is no distinction between acting as an individual (thus, morally) and acting as the citizen of a state (thus, politically), but only that the line separating the two seems less sharply defined than Jaspers proposes. The power of Jaspers's position here is in his understanding that if moral guilt comes only as the result of external judgment, it leaves the person responsible untouched internally, as a person; it would not seem to follow from this, however, that there is no outside to the inside of moral guilt.

The fourth type of guilt that Jaspers describes is metaphysical guilt, which originates, in his terms, in every person's responsibility for "every wrong and every injustice in the world."<sup>24</sup> A milder or reduced version of this conception of guilt would be the assertion that few people if any do as much good as they could, a contention that at once seems a near-tautology and provides no sense of how the failing it points to can be made good. Jaspers recognizes that even identifying this type of guilt might work against the concept of moral responsibility altogether, since if people believe that despite their most

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<sup>24</sup> *Die Schuldfrage*, 26.



strenuous efforts, they will still turn out to be metaphysically guilty, they might decide not to make even the efforts they would otherwise be willing to. For the particular historical context in which Jaspers writes, furthermore, the notion of metaphysical or generalized guilt—since it applies to everyone all the time, not only to Germans living under the Nazi regime—seems to me to add little to the specific ascriptions of guilt in the other three categories.

Jaspers openly considers himself guilty in the last three of the categories that he distinguishes, and arguably also in the first category of criminal guilt as well, if one includes natural law as one that can be violated. He was certainly guilty in the political sense, by living as a citizen in a criminal state; he was guilty in a moral sense because by his own admission he did not act against Nazi policies or practices even in ways that might not have endangered him, a fortiori in ways that might have; he was metaphysically guilty, since that standard applied to all Germans and indeed to everyone all the time. If we ask what his characterization of these categories accomplishes, we need to recall once again that Jaspers was writing principally for a German public which had just lived and participated in the reign of the Third Reich. Jaspers does not condescend to that public, since he writes also about himself; what he *is* saying is that the public addressed cannot, if ethics means anything at all, avoid looking at themselves as agents of that regime and not as its victims. I have pointed to aspects of Jaspers's account which seem inadequate in their conception of responsibility or guilt. Whether this criticism is warranted or not, the way in which Jaspers raises the question of guilt, inviting everyone in his immediate audience (and by implication, later ones) to look at themselves in terms of the same conception (so also, the question of guilt), has lasting force.

Is there, for Jaspers, a way of responding to or of making good for the types of guilt he distinguishes? Jaspers's primary emphasis in his book is on guilt, not on how to get past it or out of it. In briefly considering the latter issue, he relies on the concept of "purification" (*Reinigung*)<sup>25</sup> to characterize it, strongly suggesting again that the overriding response to guilt must finally be internal to the person who is guilty. But he does not develop this conception's applications nearly as systematically as he does the concept of guilt itself. Insofar as he does not show how purification applies specifically to each of the four

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<sup>25</sup> *Die Schuldfrage*, 112.



different types of guilt, he in effect elides them, leaving his readers to make their own ways. Criminal guilt, we have seen, is evidently paid for by punishment imposed in a court of law; political guilt is required by material reparation made through the state, with whatever burden this imposes on its citizens; metaphysical guilt, since it is constant and inescapable, insures the “melancholy background”<sup>26</sup> that guilt leaves as a residue: it can never be fully made good. And even the large and arguably the most fundamental category of moral guilt—including, one supposes, responsibility for the most extreme atrocities—is presumably open to purification: whatever one’s role and however extreme one’s actions, it seems that for Jaspers this history can internally be overcome. In this sense, there would be for Jaspers no acts which are in principle unforgivable, beyond purification.<sup>27</sup> On the other hand, since metaphysical guilt holds even in contexts far removed ethically from that of Nazi actions, purification is and remains ongoing, never complete—in effect, part of the human condition once the individual self recognizes the phenomenon of guilt at all. Self-knowledge in terms of the varieties of guilt that Jaspers distinguishes thus emerges for him as bearing not only on German Holocaust history, but on moral history as such. At this final point, the concepts of individual responsibility and guilt seem for Jaspers to converge.

I have not attempted here to locate *Die Schuldfrage* in Jaspers’s philosophical thought overall, but it should be clear that this book’s central theme is closely related to themes that Jaspers elaborates in other of his writings, especially to his emphasis in both his psychol-

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<sup>26</sup> *Die Schuldfrage*, 113.

<sup>27</sup> Although speaking of guilt and purification, Jaspers does not in *Die Schuldfrage* refer to evil itself as the objective property it is in the main philosophical traditions on which he draws. Jaspers himself is sometimes held to have been the source of Hannah Arendt’s reference in the subtitle of her book on Eichmann to “the banality of evil,” but in a letter to Arendt (13 December 1963), he mentions Arendt’s husband, Heinrich Blucher, as the source for that phrase; about the concept itself, he writes that “this [Eichmann’s? Nazi?] evil, not evil per se, is banal.” See *Hannah Arendt–Karl Jaspers*, 542. (Arendt, in her acrimonious exchange about the Eichmann book with Gershom Scholem, concluded—contrary to Jaspers—that indeed, *all* evil is banal. See letter dated 24 July 1963 in Hannah Arendt, *The Jew as Pariah*, ed. Ron Feldman [New York: Grove, 1978], 251.)



ogy and philosophy on the central role of human freedom in defining and shaping the individual person. The term “existentialism” itself is often attributed to Jaspers, at least as the announcement of a mode of thinking; and if almost everyone identified with that “school”—including Heidegger, Sartre, Camus, and Marcel—at some time protested against that classification, history, even the history of philosophy, does not depend on the acquiescence of its subjects. Certainly the recurrence of concepts like *Angst* or “nothingness” or even *nausee* stand themselves on the same perimeter that responsibility and guilt do—all of them presupposing, even exhibiting the individual freedom without which they would be unintelligible. To be sure, the emphasis on individual freedom or even *Existenz* prominent in the work of these thinkers is by no means restricted to them. In this sense, Jaspers’s emphasis in *Die Schuldfrage* on the typology of guilt and the concept of responsibility foregrounds issues that had figured not only in his own and other existentialists’ thought but in many earlier writers on ethics from Plato onward. Undoubtedly, there is a specific emphasis in his earlier work that would make his address to the “question of German guilt” and the conclusions he arrives at in relation to it predictable. However, one might also argue the converse, namely, that the unusual urgency for determining responsibility and guilt in relation to the Nazi regime adds considerable weight to any general or more abstract affirmation of individual freedom of decision and action.

Jaspers did not consider significant (arguably, he did not consider at all) the question of Nazi uniqueness, that is, whether the Nazi regime was so extreme in its politics and actions as to be without precedent or equal in history. On the matter of the Nazi genocide against the Jews, it is worth noting that the term “genocide” itself, although coined before Jaspers wrote *Die Schuldfrage* (by the jurist Raphael Lemkin, in 1944), was not widely used at the time of his writing. For example, it was not among the charges brought against the upper Nazi hierarchy at the first Nuremberg Trial by the International Military Tribunal, a trial which Jaspers followed closely. The term *Endlösung* (“final solution”) itself does not appear in his book, and there remains some question whether Jaspers knew the full extent of the Nazi genocide at the time of his writing. Indeed, when he refers to the Nazi persecution and killing of Jews, the few references are muted, at most



one component in the broader complex of Nazi transgressions against the countries and peoples of Europe with respect to whom the question of German guilt is raised.<sup>28</sup>

In the sixty-year aftermath of the Holocaust, some readers of Jaspers's account have seen his formulation of these proportions as a fault or omission in his argument; but this charge, it seems to me, ought to be judged in the context of his conception of the guilt question as a general question, notwithstanding the particular and urgent setting which it emerged for him. The crime of genocide undoubtedly carries a special burden of responsibility in comparison to other crimes, but it is also evident that even now, with much fuller information and analysis than Jaspers had access to, just how that crime should be judged or punished or even defined remains a disputed question. And Jaspers's bold and intense, yet dispassionate account of German guilt goes far, even sixty years later, toward establishing a frame of reference for confronting the issue of guilt on a large scale: in immediate relation to Germany and the Germans, but also as bearing on other large-scale atrocities with large points of similarity, some of them committed decades after the event to which Jaspers was responding. Hegel's contention that "the one thing we learn from history is that we do not learn from history" is clearly supported by the history of national crimes and atrocities that has unfolded since Jaspers called attention to the guilt of the German populace under the Nazi regime. A compelling reason for rereading *Die Schuldfrage* now, and again, is the hope that the genealogy of Jaspers's argument will resonate for contemporary readers who should have learned from history at least this much: that if a certain type of event has happened once, it can happen twice. In this way, we also return to the two dimensions of reading philosophical texts mentioned at the beginning of these comments: the need to address them there and then, in their

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<sup>28</sup> So he writes generally of Germany's role "in the extermination of populations" (*Die Schuldfrage*, 47) and of Nazi "race mania" (63); in two different places (13 and 65–6), he refers to Kristallnacht and the "Jewish" programs—but again, these references are slight in relation to his general emphasis on Nazi crimes. (The phrase "the Holocaust" is absent—it became current only decades after Jaspers wrote—and is absent also from the 1962 "Afterword" that he appended to a new edition of *Die Schuldfrage* in which he does refer to the "gassing" of the Jews. As I have mentioned before, it would be potentially important to know exactly how much Jaspers himself knew about the extent of Nazi crimes even in 1945.)



own historical setting—together with the need to address them here and now, for what our own thinking can make of them.

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# ETHICS, RELIGION, AND RELATIVISM

JOHN HALDANE

## I

THE RECENT PUBLICATION of a collection of essays by Elizabeth Anscombe on the themes of *Human Life, Action and Ethics*<sup>1</sup> has re-awakened some interest in the question of whether morality can be made sense of independently of belief in a transcendent source of obligation or value. Answering that question is certain to be a complex matter, for the terms in which it is posed are open to a variety of interpretations. There are different definitions of morality, different ways of making sense, different kinds of independence and of transcendence, and different accounts, and different forms, of obligation and of value. In a critical review of the volume, Simon Blackburn cites Anscombe's thesis from her famous essay "Modern Moral Philosophy":

the concepts of obligation, and duty—*moral* obligation and *moral* duty, that is to say—and of what is *morally* right and wrong, and of the *moral* sense of 'ought,' ought to be jettisoned if this is psychologically possible; because they are survivals or derivatives of survivals, from an earlier [divine law] conception of ethics which no longer generally survives, and are generally harmful without it.<sup>2</sup>

Blackburn writes of this that "Anscombe's thought was a version of the Dostoevskian claim that if God is dead everything is permitted,"<sup>3</sup> and he goes on to reject it as absurd, pointing out that someone may regard an action as immoral who has no commitment to, or even any knowledge of Judaeo-Christian law-based ethics. It is relevant to

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<sup>1</sup> *Human Life, Action and Ethics: Essays by G. E. M. Anscombe* ed. Mary Geach and Luke Gormally, *St Andrews Studies in Philosophy and Public Affairs*, vol. 4 (Exeter: Imprint Academic, 2005).

<sup>2</sup> Elizabeth Anscombe, "Modern Moral Philosophy," in *Human Life, Action and Ethics*, 169.

<sup>3</sup> Simon Blackburn, "Simply Wrong," *Times Literary Supplement* 30 (September 2005): 11–12.

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add, by way of background, that while Anscombe was a committed Roman Catholic, Blackburn is a convinced atheist who regards religion as at best irrelevant to the effort to ground ethics, because of the Euthyphro dilemma, and at worst corrupting of ethics because it substitutes vengeful dogmatism for humane values. As he puts it elsewhere:

A just practice would be commanded by a just deity, no doubt, but that throws the question back on to why we suppose our deities are just, and whether that judgement in turn could be more than an expression of our own subjectivity. Indeed, the vengeful and jealous and fearsome monotheistic deity seems very obviously to be exactly that.<sup>4</sup>

In arbitrating the philosophical dispute about the character of moral concepts, it is necessary to get clearer about what is involved in the idea of the “moral.” Anscombe certainly did not think that one could not judge a course of action to be such as ought not to be followed unless one thought it prohibited by God. Indeed, her positive aim in “Modern Moral Philosophy” was to identify a basis conceptually independent of religious claims, on which wrongness might be established: namely, incompatibility with virtues related to human flourishing. On the other hand, she does hold that the idea of distinctively *moral* wrongness carries a sense of forbiddenness requiring the presence in the background of a source of prohibition that has to be external to human decisions and human nature, and which is, in that sense, a transcendental source of commands, such as God is taken to be in Judaic, Christian, and Islamic thought.

This is not a trivial claim, and Simon Blackburn is not obviously wrong in disputing it, for there is more than one tradition of philosophical theorizing about ethics which tries to ground moral directives, “ought” and “ought not,” in facts about reality, or reason, or proper sentiment that are held to be independent of any theological claims. One reply would be to say that these efforts have failed. The most common grounds for maintaining this claim, however, suggest that the failure occurs at the earlier stage of trying to establish objective value—a stage antecedent to any requirement to promote or protect the good, and to counter or avoid the bad. Yet, significantly,

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<sup>4</sup> See Simon Blackburn, *Truth: A Guide for the Perplexed* (London: Allen Lane, 2005), 43; asides about the malign character of religion occur intermittently.



Anscombe expended much philosophical energy in defense of ethical objectivity by showing the flaws in efforts to maintain a sharp logical distinction between matters of fact and of value. So this is not a line of reply that she could have been sympathetic to.

Instead, one might argue that while it may be possible to show, without reference to any religious claims, that certain things are good, and even that, this being so, a rational agent has reason to pursue them (and correspondingly reason to avoid things shown to be bad), nevertheless it cannot be shown without appeal to a transcendent law-giver that anything is morally obligatory or morally prohibited, in a juridical interpretation of these notions.<sup>5</sup> This, surely, is what Anscombe had in mind. She heard people who were not avowedly religious say that such and such is "morally wrong," "wholly forbidden," and so on, and she wondered what that could mean if not forbidden from on high.

A secular philosopher might try to establish an understanding of morality such that it could contain this sort of indefeasible absolutist prohibition, but it is difficult to see how it might be grounded. More likely, he will prefer to think in terms of cancellable prohibitions: requirements not to act in certain ways, save in emergencies. Consider, for example, the case of John Rawls, who writes as follows:

The norms of the conduct of war set up certain lines we must not cross, so that war plans and strategies and the conduct of battles must lie within the limits they specify. The only exception is in situations of extreme emergency. . . . This exemption allows us to set aside—in special circumstances—the strict status of civilians that normally prevents their being directly attacked in war. . . . Political liberalism allows the supreme emergency exemption; the Catholic doctrine rejects it, saying that we must have faith and adhere to God's command.<sup>6</sup>

Evidently, and notwithstanding their being said to "set up lines we must not cross," Rawls's norms of the conduct of war are not absolute but conditional, *prima facie*, or *pro tanto* prohibitions. If these are the most that secular reason can achieve, then indeed it should conclude, with Anscombe, that stronger directives, or deontological

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<sup>5</sup> For some discussion of these matters as they feature in medieval thought, see John Haldane, "Voluntarism and Realism in Medieval Ethics," *Journal of Medical Ethics* 15, no. 1 (1989): 39–44, and "Is Every Human Action Morally Significant?" forthcoming.

<sup>6</sup> John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999), pt. 3, pp. 97, 98, and 105.



modalities, such as “absolutely must” and “absolutely must not,” have their origins outside of natural reason. Rawls seems implicitly to do this by his contrast with Catholic absolutist teaching, and by footnoting in that connection Anscombe’s essay, “War and Murder.”<sup>7</sup> Even so, his sense of the appropriateness of unconditional absolutes seems hard to shake off, for in an earlier footnote he adds that “[p]rohibitions such as that against the torture of prisoners of war still remain in place.”<sup>8</sup> The obvious question to ask, however, is why these are not also subject to exemptions and may not be defeated in “situations of extreme emergency.” So far as I have been able to determine, neither Rawls nor those who follow him in these areas provide any answer.

Here, as in subsequent sections, I shall summarize main points in simple verse:

*If you talk of right and wrong,  
then take note of what you say,  
for the sense of absolutes,  
will not easily go away.*

## II

However definite may be the oppositions between Rawls and Anscombe on the matter of moral absolutes, and between Blackburn and Anscombe concerning moral obligation, they are located within a relatively conservative moral philosophical framework. That is to say, the parties to these debates could all agree that judgments about good and bad in human action are such as may be true, and that they can be reasoned about in an objective manner. Simon Blackburn is a noncognitivist who holds that morality is not a matter of knowledge strictly speaking, but of settled sentiment. That is not to the present point, however, for his opposition to Anscombe does not depend on this metaethical claim; it is related to the question of whether moral concepts are implicitly theological. One could, after all, combine

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<sup>7</sup> From *Nuclear Weapons and Christian Conscience*, ed. Walter Stein (London: Merlin Press, 1961), reprinted in G. E. M. Anscombe, *Ethics, Religion and Politics: Collected Philosophical Papers*, vol. 3 (Oxford: Blackwell, 1981).

<sup>8</sup> Rawls, *The Law of Peoples*, 98.



moral sentimentalism and divine command theory in the thesis that what it is right to do is what God commands, and that God commands what he does command simply because he has an approbative attitude toward it. Theoretically unappealing as this combination may seem to be, it is close to what some nonphilosophers appear to believe, and it can seem to find some support in Judaeo-Christian scripture, as in the injunction following Moses' delivery of the Decalogue: "Ye shall diligently keep the commandments of the Lord your God, and his testimonies, and his statutes, which he hath commanded thee. And thou shalt do that which is right and good in the sight of the Lord."<sup>9</sup>

As we know, however, the current situation is one in which radical forms of moral skepticism hold sway in large parts of the intellectual world and have made significant gains over the thinking of nonphilosophers. In particular, it is now widely believed that ethics is relative, in the sense that there is no objective standard of correctness in moral thinking, only a series of diverse measures that are in some way optional. It is worth asking those who say this sort of thing what they think the nature and limits of that "optionality" may be and to whom the options are available. Is it optional, if you are a member of a moral community or tradition, to think at odds with it? Or is the optionality that of a spectator standing outside the communities or traditions—not necessarily being an outsider to them, but standing mentally outside them in an exercise of intellectual detachment?

One might suppose that the second position would allow for the first, but the two invoke different perspectives and sets of standards. This is what makes it possible to say, paradoxically: "one ought to do so and so, though in saying this I am not saying that it is 'objectively true' that one ought to do so and so." The paradox is resolved by providing relative contexts, contrasting (1) what holds relative to the standards of a moral group to which one belongs, and (2) what holds relative to the judgment of informed philosophical analysis. Philosophy may free one's reflections from the presumed illusion of universal objectivity, but it does not thereby provide grounds for rejecting the moral conventions of one's group, or provide license for substituting alternatives. On the contrary, some theoretical relativists draw the conclusion that since there are no transcendent moral standards, there is reason to treat with special respect particular social

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<sup>9</sup> Deuteronomy 6:17–18.



conventions and to be hesitant about subjecting them to public exposure as artifacts of our own making:

*If the only rules there are,  
are the rules we humans make,  
then handle them with care,  
lest these works of man we break.*

### III

This rhymed conclusion has the ring of Humean conservatism. For recall that while Hume was a skeptic about moral knowledge, he resisted the temptation to think that because some principle or norm of conduct could not be established as an object of experience or of reason, it therefore ought to be rejected. After all, what else could be substituted for it that was not equally vulnerable to skeptical interrogation? Tradition and convention were, for Hume, themselves embodiments of habits found profitable by preceding generations, who in most respects were not all different in nature. He himself evidently felt close to Cicero, though eighteen centuries separated them. Commenting on the “artifice” of justice, he observes:

Mankind is an inventive species; and where an invention is obvious and absolutely necessary, it may as properly be said to be natural as any thing that proceeds immediately from original principles, without the intervention of thought or reflexion. Tho’ the rules of justice be artificial, they are not arbitrary. Nor is the expression improper to call them Laws of Nature; if by natural we understand what is common to any species, or even if we confine it to mean what is inseparable from the species.<sup>10</sup>

This attitude contrasts with that of a present day skeptic such as Gianni Vattimo who thinks that the abandonment of moral realism, as of philosophical realism more generally, forces the acceptance of some version of nihilism. It may be relevant that Vattimo’s starting point is defined by the work of two radical, post-Enlightenment Continental thinkers (Nietzsche and Heidegger), rather than by conservative British empiricists such as Locke and Berkeley. Vattimo believes,

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<sup>10</sup> David Hume, *A Treatise of Human Nature*, ed. L. A. Selby-Bigge (Oxford: Oxford University Press, 1958), 484.



however, that he can draw from Heidegger the resources to resist the most extreme developments of Nietzsche, though without having to become a reactionary.<sup>11</sup>

In Vattimo's intellectual world, there is no going back to pre-Nietzschean innocence. Philosophical discourses are not scientific probings of reality but rhetorical efforts to sustain or challenge the control of power. In a suitably loose understanding of the concept, all thought is ideology. But some ideologies may be more congenial than others, particularly those that allow for, and even validate a pluralism of interests and lifestyles. But how can there even be a discourse of justification if thought is not governed by, or at least answerable to, external standards of truth and falsity, reason and unreason?

Vattimo's answer is an admittedly radical modification of the Kantian idea of objectivity without objects. For the premoderns (ancient and medieval) and for the precritical moderns (empiricist and rationalist), thought is shaped by concepts that are the mental counterparts of objective structures of empirical or metaphysical reality. The Kantian revolution reversed this order and found the origins of mental structure within the mind itself. But "mind," in this formulation, is not something empirical and variable. Instead, it is (mysteriously) non-personal and transcendental. It is intersubjective mind per se, whose organizing nature imposes categories antecedent to experience.

Vattimo accepts the formulation "no experience without concepts," but he follows Heidegger in seeing the source of our concepts as residing not in some universal precultural intellectual structure but in historically situated, culturally molded forms. He writes:

The subject is not the bearer of the Kantian a priori, but the heir to a finite-historical language that makes possible and conditions the access of the subject to itself and the world.<sup>12</sup>

And elsewhere he comments that:

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<sup>11</sup> I am grateful to Dr. David Rose for drawing aspects of Vattimo's work to my attention, also for the translations of passages from works not yet published in English. These latter are drawn from David Rose, "The Ethical Claims of il Pensiero Debole: Gianni Vattimo, Pluralism and Postmodern Subjectivity," *Angelaki: Journal of the Theoretical Humanities* 7, no. 3 (2002): 61–80.

<sup>12</sup> Gianni Vattimo, *Oltre l'interpretazione: il significato dell'ermeneutica per la filosofia* (Bari: Editori Laterza, 1994); English translation by David Webb, *Beyond Interpretation: The Meaning of Hermeneutics for Philosophy* (Cambridge: Polity Press, 1997), 8.



There are no transcendental conditions of possibility for experience which might be attainable through some type of reduction or epoche suspending our ties to historical-cultural, linguistic, categorical horizons. The conditions of possibility for experience are always qualified. . . . The foundation, the beginning, the initial transmission of our discourse cannot, in other words, but be a hermeneutic foundation.<sup>13</sup>

All understanding is interpretative and immanent within preexisting frameworks, and those structures are historico-cultural products. For Vattimo there is no sense to be given to the idea that thought responds to and is measured by the world itself, such as Aquinas maintains in his *Commentary on the Metaphysics*, bk. 10, lect. 2:

We do not know [sensible and intelligible objects] in the same way that we know something by means of a measure. For something is known by a measure as a principle of knowledge; but things are known by sensory perception and by intellectual knowledge as by a cognitive power or cognitive habit. Therefore [the cognitive powers] are called measures only figuratively, because in reality they are measured rather than measure. For it is not because we perceive or know a thing that it is so in reality; but it is because it is so in reality that we have a true knowledge or perception of it.<sup>14</sup>

Vattimo thinks of himself as moderating the impact of Heideggerian hermeneutics and Nietzschean nihilism, by conceding something to each while finding a way of resisting the abandonment to chaos. In his intermediary account, there is order, admittedly not that of a formally structured world or of a worldly structured conceptual field, but the order of reasonable interpretation, of humane selection among defensible goods. The good itself is measured by our socially defensible desires, rather than these desires being evaluated by means of the good. There is to this extent a kind of rationality and a kind of truth—"weak thought" and "weak truth"—and we are situated with regard to them rather as a librarian is placed with regard to the contents of the books that surround him. They reflect structures and cat-

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<sup>13</sup> Vattimo, "Dialectics, Difference and Weak Thought," in *Il pensiero debole*, ed. Gianni Vattimo and Pier Aldo Rovatti (Milan: Feltrinelli, 1998) 13 (Italian original).

<sup>14</sup> Thomas Aquinas, *Commentary on Aristotle's Metaphysics*, bk. 10, lect. 2, trans. John P. Rowan (Notre Dame: Dumb Ox Books, 1995), 643. For an exploration of Aquinas's position from the perspective of recent debates about realism and antirealism see John Haldane, "Mind World Identity Theory and the Anti-realist Challenge," in *Reality, Representation and Projection*, ed. John Haldane and Crispin Wright (New York: Oxford University Press, 1993), 15–37.



egories, and they contain information; but neither fact requires that they correspond to some objective reality. For all that this is concerned, there may be nothing beyond the books, or nothing beyond what they say. Vattimo writes:

As a metaphor for speaking of hermeneutical truth, dwelling might best be understood as though one were dwelling in a library; whereas the idea of truth as correspondence conceives of knowledge of the true as the certain possession of an object by way of an adequate representation, the truth of dwelling is by contrast the competence of the librarian who does not possess entirely, in a single act of transparent comprehension, all of the contents of all of the books among which he lives, nor even the first principles upon which the contents depend.<sup>15</sup>

Expressed in these terms, the position may sound a commendable statement of epistemic modesty, but it is much more radical. Vattimo is not saying that we should acknowledge the limitations of our grasp of the truth. He is intimating that there is no such thing as truth to grasp. Elsewhere he writes of the need "to stay faithful to the discovery of the always unsurpassingly finite setting of the origin [of 'an ethics of finitude'] without forgetting the pluralistic implications of this discovery."<sup>16</sup> But those implications themselves have implications, namely, that the ethics of finitude includes instances that may be utterly barbarous but uncriticizable, because the only positions from which they could be externally assessed are either competitors of the same intersubjective sort which can have no claim upon them, or else one which does not exist, namely, the position of objective reason and truth.

Of course, Vattimo believes that genuine rules—in the sense of being correlative to fakes—could only be made sense of in terms of objective reason and objective truth, and that these are what postmodernity invites us to reject; but we have a right to ask whether the invitation is compelling. Again, we might versify a conclusion:

*If the only rules there are,  
are the rules we humans make,  
then how can it be argued,  
that some rule is really fake?*

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<sup>15</sup> Vattimo, *Beyond Interpretation: The Meaning of Hermeneutics for Philosophy*, 82–3.

<sup>16</sup> Gianni Vattimo, "Etica della provenienza," *MicroMega* 1 (1997): 74–9.



## IV

Morality and politics are concerned with wide ranges of values, virtues, norms, requirements, and prohibitions varying in respect of type, content, and rank. Perhaps the central and certainly the most fundamental philosophical issue concerning these is that of their foundation. What is the basis of goodness? Why is justice a virtue? Why is virtue to be sought for? What is the source of moral requirements and prohibitions? And so on. As well as the many disagreements about moral and political issues that characterize contemporary debate, particularly in advanced, technological, liberal societies, there are deep theoretical disputes about the very foundations of ethics and politics.

One might think that since these disputes concern abstract issues, they can be kept within academic boundaries. After all, even though advocates of different philosophical theories may dispute the grounds on which a prohibition on murder should be founded, they rarely contest the claim that murder is wrong. And, as that example serves to suggest, there are some moral prohibitions that are likely and perhaps certain to emerge, no matter what theoretical position one adopts. This thought is doubly cheering: first, because it limits the impact of philosophical disagreement at the level of everyday life; and second, because it offers the prospect that the appearance of extensive moral dispute may be illusory; for if it can be shown that there are a number of moral commitments that anyone must accept on pain of otherwise disqualifying himself from serious discussion, then we might move to the next stage of trying to show that apparently intractable debates concern not fundamental principles but the applications of these in complex and emotionally charged circumstances where it is easy to go wrong.

The latter thought is one I will return to, but first it is necessary to acknowledge the extent, depth, and range of sources of moral disagreement in contemporary Western societies, and to recognize that current thought about moral questions as these arise in personal life and in the public sphere is often confused, confusing, and shallow. If this is to be rectified, we need to make a number of distinctions and avoid confusing them.

First, there is the distinction between the *private* and the *public*; then, there are the distinctions among the *procedural*, the *political*,



the *cultural*, and the *moral*. Some issues in the public sphere can and should be treated as purely procedural matters. For example, the administration of justice should conform to norms of accessibility and equability. Appointment to public office should be open on the basis of announced qualifications, and so on. Important as they are, however, these ways of proceeding are not exclusive to liberal polities, nor are they sufficient to constitute a common morality or culture. In response, one might hope to draw on the public/private distinction so as to argue that anything more substantial can be confined to the sphere of private morality. That, however, is neither practically feasible nor theoretically plausible. Debates about abortion, euthanasia, marriage, the age of consent, pornography, education, welfare, health service allocation, public funding of the arts, and so on, do not concern private matters, nor can they be resolved procedurally.

If ethics matters, and these are ethical matters, how may we proceed? Broadly speaking, there are two options: (1) accept contest or (2) aim for consensus. I favor the latter option, but if it is to be credible, it has to address the diversity of approaches to ethical issues and the insufficiently acknowledged fact that most, and perhaps all, of these approaches derive, directly or indirectly, from religious understandings of human nature and the values proper to it. We need to take more seriously, in a way that most contemporary philosophers generally do not, the broadly religious character of much moral thinking:

*If you look around you'll see,  
the list of values is not brief,  
and that this diversity,  
Oft' accompanies belief.*

## V

A common reason given for thinking that traditional understandings of morality as resting on objective foundations is no longer feasible, is that we have come to appreciate the differences between cultures, and to think that the fact of these differences challenges the notion of universal truths and values. To assess this reasoning we



need to distinguish three kinds of challenge posed by encountering cultural differences.

(1) *Psychological challenges*. Undoubtedly these sorts of challenges are very real. Discovering that one's own ways of living are not the only ones, trying to understand those of others, and trying to co-operate or negotiate with them can all be unsettling, difficult, irksome, and exhausting. Nothing follows from this, however, about the credibility of one's beliefs or the status of one's values.

(2) *Socio-cultural challenges*. When cultures meet, whether through communication, travel, trade, or immigration, issues arise as to how best their members should interact with one another, and as to how competing claims may be resolved. Often these challenges are purely practical, but they can also pose a particular problem for those who value toleration. I shall term this the "paradox of respect," for toleration seems to require that we tolerate the "intolerable."

Let us say that a culture deserves respect because it is valued by its members and is for them a meaning-providing structure. Call this "the respect-deserving principle" (RDP). This sort of idea seems to have wide support among social theorists and advocates of multiculturalism. But now suppose that a particular culture C is corrupt, abusive, intolerant, or otherwise of little objective worth. Nonetheless, it is valued by its members, for whom it is a meaning-providing structure. According to RDP, we should accord C respect. Evidently, however, those who judge it worthless cannot really do so, as that would require them to tolerate the intolerable. What are we to conclude?

Consider two strategies:

(a) *The political approach*. We might argue that persons of the same or different cultures should respect one *another*, not one another's *cultures*, because whatever culture they belong to they are all free and equal citizens. This is a popular view among political liberals such as John Rawls, but it faces a series of objections:

First, not all who find themselves in contact with members of other cultures are fellow citizens. Second, even where they are, why should one's political identity as a citizen take precedence over, or protect one from one's cultural identity? Why should we accord political respect to a racist qua citizen, if we think he does not deserve cultural respect as a racist? What, in any case, is the content of the value of being a citizen? An answer to the last question might be that the status of a citizen as a free and equal person is something to be valued



independently of what culture he belongs to, and of whether that culture values this status. But in that case there is a third objection, namely, that the status of citizen is accorded respect in its own right, not because it is valued by members of a culture or is seen by them to give meaning to their lives. Equally, cultures that value citizenship as involving freedom and equality are equally to be respected because of the presumed truth of their values, not merely because they have them.

I conclude that examination of the political approach suggests that RDP fails. Cultures deserve respect only where they merit it. The fact that someone values his culture and derives meaning from it is not by itself a reason for others to respect that culture per se. Where its values are corrupt, it ought not to be respected.

(b) *The anthropological approach.* Next, we might argue that persons of the same or different cultures should respect one another, not one another's cultures, because whatever culture they belong to, they are all persons, and persons deserve respect because of the dignity of the human person as such. Indeed, it is quite compatible with regarding cultural forms as primitive or debased, yet recognizing human value within them. A powerful literary presentation of this is provided by Joseph Conrad in *Heart of Darkness*, when the principal character, Marlow, describes experiences in the depth of the Belgian Congo:

We are accustomed to look upon the shackled form of a conquered monster, but there—there you would look at a thing monstrous and free. It was unearthly, and the men were—No they were not inhuman. Well, you know, that was the worst of it—this suspicion of their not being inhuman. It would come slowly to one. They howled and leaped and spun, and made horrid faces, but what thrilled you was just the thought of their humanity—like yours. . . . Let the fool gape and shudder—the man knows, and can look on without a wink.<sup>17</sup>

Respecting human beings need not involve respecting their cultures, though the fact that people do value their own cultures and take meaning from them should encourage us to value culture as an aspect of the experienced human good, and to work to establish virtuous cultures.

I term this "the anthropological approach" because it looks to human nature for an account of the value of persons and of cultures.

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<sup>17</sup> Joseph Conrad, *Heart of Darkness* (Ware: Wordsworth, 1999), 65–6.



This also suggests that, as it stands, RDP fails. Cultures ought to be respected only where and to the extent that they merit it. The fact that people value their culture and draw meaning from it is not in and of itself grounds for others to respect that culture, and where its values are bad ones, it ought not to be accorded respect.

The paradox of respect or of tolerating the intolerable is solved by denying RDP: if a cultural practice is intolerable it ought not to be tolerated. This will commend itself to many, but not to those who take a certain view of the next kinds of challenge posed by encountering cultural differences.

(3) *Philosophical challenges.* Two questions fall under this heading, both arising from the fact that lives, institutions and cultures are structured by basic beliefs, values and practices. It follows that cultures differ to the extent that the underlying beliefs, values and practices do. Thus we face:

(a) *The problem of interpretation.* If two cultures are radically distinct, how can members of each even understand one another, since *ex hypothesi* they must hold different beliefs and values? To illustrate, how is a culture that does not believe that stones are alive, or one that does not value house-dust, or another that does not eat its dead, to understand cultures that have such beliefs and values and practices?

(b) *The problem of relativism.* To the extent that we can make sense of radically different beliefs, values, and practices, this may seem to undermine confidence in the correctness of our own ways. After all, if people who inhabit the same world can hold such different views, how can we say who is right and who is wrong? Perhaps, indeed, there is no right and wrong, there are just differences. Perhaps it's all relative.

Both problems have the same solution: look beneath the surface differences for underlying commonalities, as did Marlow in *Heart of Darkness*. We can understand what is believed by people who believe that stones are alive. It's just that we think they are wrong, and we are puzzled by their mistake. But if we look into the matter further, we can expect to find an explanation. Likewise, where people seem to hold different and incompatible values, the deeper truth is usually otherwise; similarly when they abide by different practices.



Writing almost two and a half thousand years ago, Herodotus observes the following:

[I]f one were to offer men to choose out of all the customs in the world such as seemed to them the best, they would examine the whole number, and end by preferring their own; so convinced are they that their own usages far surpass those of all others. Unless, therefore, a man was mad, it is not likely that he would make sport of such matters. That people have this feeling about their laws may be seen by very many proofs: among others, by the following. Darius [King of Persia] after he had got the kingdom, called into his presence certain Greeks who were at hand, and asked, "What he should pay them to eat the bodies of their fathers when they died?" To which they answered, that there was no sum that would tempt them to do such a thing. He then sent for certain Indians, of the race called Callatians, men who eat their fathers, and asked them, while the Greeks stood by, and knew by the help of an interpreter all that was said, "What he should give them to burn the bodies of their fathers at their decease?" The Indians exclaimed aloud, and bade him forbear such language. Such is men's wont herein; and Pindar was right, in my judgment, when he said, "Law is the king o'er all."<sup>18</sup>

In relating this story in his *Histories*, Herodotus, who was influenced by sophist conventionalism, remarks both that people take their own customary rules to be correct, and that there is a great variety and diversity of cultural customs. He is thereby setting the scene for an encounter of the type that has some saying "it's all relative." The tradition among the Greeks was to burn the bodies of their dead fathers, and among the Callatians it was to eat them. What one regarded as piety, the other viewed as obscene. The lesson of Darius's experiment, besides the reason Herodotus gives for recording it (namely, to establish that law or convention [*nomos*] shapes our responses), is that beneath the disagreement of convention over burning or eating was an agreement, namely, that dead loved ones are to be honored through pious rituals of acknowledgement and remembrance. The disagreement was not really about values, for on those they were agreed; rather, it concerned the proper embodiment or expression of one and the same value, and that difference was no doubt due to historical circumstances.

Much the same point was made three centuries ago by Francis Hutcheson in *An Inquiry into the Original of Our Ideas of Beauty*

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<sup>18</sup> *The History of Herodotus*, trans. George Rawlinson (Ware: Wordsworth, 1996), bk. 2, chap. 38, 142.



and *Virtue*, when considering the issue of the grounds of difference in moral opinions. He writes that:

[W]e may easily account for the vast diversity of moral principles, in various nations and ages; which is indeed a good argument against innate ideas, or principles, but will not evidence mankind to be void of a moral sense to perceive virtue or vice in actions. . . . The grounds of this diversity are principally these: 1st. Different opinions of happiness, or natural good, and of the most effectual means to advance it. . . . But in these and all other instances of the like nature, the approbation is founded on benevolence, because of some real, or apparent tendency to the public good. . . . The same reason may remove also the objections against the universality of this [moral] sense, from some stories of travellers concerning strange cruelty practised toward the aged, or children, in certain countries. . . . [I]f they be looked upon as innocent, and vindicated, it is certainly under some appearance of benevolence, such as to secure them from insults of enemies, to avoid the infirmities of age, which perhaps appear greater evils than death, or to free the vigorous and useful citizens from the charge of maintaining them, or the troubles of attendance upon them.<sup>19</sup>

Before we can assess the beliefs, values, and practices of others we must first understand them, and that means interpreting behavior in the light of what, exactly? Common human nature, and the deep facts pertaining to it. Relativists like to think they are deep, seeing beneath our agreements a mere foundation in convention. In fact, they are superficial, failing to see beneath different conventions a deeper common reality. The challenges posed by cultural engagement do not subvert the assumption that there is a common human nature and common human good; rather, they tend to confirm it.

Moral good and evil come in different forms: personal, social, institutional, cultural, political, and religious. Particular and general moral wrongs involve the absence of what reason, emotion, and volition should have established or preserved. Institutional injustice involves a want in the allocation of goods due to some, and thus represents a failure of reason and an imposition of loss. Cultural cor-

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<sup>19</sup> Francis Hutcheson, *An Inquiry into the Original of Our Ideas of Beauty and Virtue*, ed. Wolfgang Leidhold (Indianapolis: Liberty Fund, 2004), treatise 2, sect. 4, pp. 137–8. See also the essay by Montaigne, “On the Cannibals,” in Michel de Montaigne, *The Complete Essays*, trans. and ed. Michael A. Screech (London: Allen Lane, 1991), 228–41; and the discussion of this by David Wiggins in *Ethics: Twelve Lectures on the Philosophy of Morality* (Cambridge, Mass.: Harvard University Press, 2006), 343–7.



ruption involves a systematic failure of good judgment and a loss of the sense of social responsibility.

In moving from individual to social evils, our vision of the impediments to human flourishing is broadened; but there is a further dimension to be taken account of, the appreciation of which promises to enrich our comprehension of the human condition and the contribution of religious ideas to that understanding. This is the dimension of history, understood not just as a sequence of events but as a possibly meaningful narrative; an account not just of what has happened but an interpretative explanation of why things have gone as they have and how they should go in the future (the "should" here being both predictive and normative).

Writing out of a similar tradition to Vattimo, Jean Francois Lyotard writes that: "We can no longer have recourse to the grand narratives—we can resort neither to the dialectic of spirit, nor even to the emancipation of humanity."<sup>20</sup> He insists (without addressing the question of the referent of the "we") that we abandon metanarratives, overarching accounts of events that subsume other more local narratives such as periodic or political histories. In particular, we are to reject the belief that there is anything to be said that might constitute the "human story."

By contrast, Jews, Christians, and Muslims (as well as those of other faiths) see deep significance in the broad sweep of history, as well as in the experiences of value and recurrent longings in generations of individuals. We can certainly agree with postmodernists when they observe the confusing diversity of interests, cultural forms, and lifestyles that characterize economically and technologically advanced societies; but we may yet place this diversity within a larger picture which gives it a meaning that the postmodernists cannot see, and which, given their theoretical commitments, they could not acknowledge even if it seemed apparent to them. Reinhold Niebuhr poses the question and suggests a transcendentalist answer:

How can we bring the whole human story, including the relevant and irrelevant individual human dramas, into some scheme of intelligibility without obscuring and denying the richness and variety of the drama?  
 . . . The fragmentariness and brevity of life, united to its dignity, is a

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<sup>20</sup> Jean Francois Lyotard, *The Postmodern Condition: A Report on Knowledge*, trans. Geoff Bennington and Brian Masumi (Manchester: Manchester University Press, 1992), 60.



mystery which is made meaningful by the promise of a fulfilment which is beyond the capacity of man.<sup>21</sup>

Unless one embraces the nihilism of the postmodernist, the idea of metanarratives remains a possibility. But if so, one must ask what is the condition of its possibility. In order to see "direction" in history, Marx and Hegel tried to find materialist substitutes for Providence. It is doubtful, however, whether anything short of real purposeful agency can provide history with a teleology.<sup>22</sup> If that is right, and if the idea of a metanarrative has rational appeal, then so should the notion that ultimately the course of human history is a religious one, a movement toward or away from God.

Here we have returned to the theme with which I began: the idea that morality might depend upon religion. The connection I have just been pointing to, however, is not that proposed by Anscombe in the opening quotation and disputed by Blackburn, namely, the dependence of concepts of obligation upon that of a divine legislator. Consequently, it is not open to the complaint that theological ethics only engages with deontological categories, or to the general challenge that strong deontological notions can only be given a voluntaristic foundation. Here the connection is between the experience of value and a transcendent teleology. It is less immediately conceptual and more phenomenological, anthropological, and metaphysical, being the dependence of an understanding of the shared human condition, with its underlying commonalities, upon an understanding of the historical and metaphysical situation in which human life is located: an

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<sup>21</sup> Ronald Niebuhr, "The Self and its Search for Ultimate Meaning," in *The Meaning of Life*, ed. E. D. Klemke (Oxford: Blackwell, 1980), 49, 50.

<sup>22</sup> Such is the conclusion of Bernard Williams's discussion of "Making Sense," in *Truth and Truthfulness* (Princeton: Princeton University Press, 2002). His judgment that there is "no adequate account of how the supposed processes could work" is conditional upon the implied but unstated rejection of theism or any other transcendent metaphysics. One reply would be to establish the case for providentialist theism independently of the question of experienced value and meaning; another would be to argue from the latter to the truth of theism. In relation to the former, see John Haldane, "Theism," in J. J. C. Smart and John J. Haldane, *Atheism and Theism*, 2d ed. (Oxford: Blackwell Publishers, 2004), pts. 2, 4, and 6; and in relation to the latter, John Haldane, "Philosophy, The Restless Heart, and the Meaning of Theism," *Ratio* 19, no. 3 (2006): forthcoming.



understanding that calls for an author of history and agent of providence.

In this regard it is relevant to conclude by quoting again from Anscombe on the relation between the ethical and the religious; but now from a less familiar source (though one contained in the volume reviewed by Blackburn), and this time in connection with the link between the human experience of reverence and the idea of man's supernatural destiny. Anscombe writes:

A religious attitude may be merely incipient, prompting a certain fear before the idea of ever destroying a human life, and refusing to make a 'quality of life' judgment to terminate a human being. Or it may be more developed, perceiving that men are made by God in God's likeness, to know and love God. The love of God is the direction of the will to its true end. . . . Such perception of what a human being is makes one perceive human death as awesome, human life as always to be treated with a respect which is a sign and acknowledgment of what it is for.<sup>23</sup>

More generally, the suggested connection between, first, the experience of value (and of disvalue), second, an understanding of human nature and its condition, and third, the idea of a transcendent source or foundation for these, may be cast in terms of a sense of objective purpose:

*If the order that we sense,  
is one that we can't make,  
then God may be its author,  
and it be for our sake.<sup>24</sup>*

*University of St Andrews*

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<sup>23</sup> "Murder and the Morality of Euthanasia," in *Human Life, Action and Ethics: Essays by G. E. M. Anscombe*, 270.

<sup>24</sup> The writing of this paper was made possible by research support provided by the Institute for the Psychological Sciences. I am particularly grateful to Dr. Gladys Sweeney, Dean of the Institute, for facilitating this support.



## BOOK REVIEWS

### SUMMARIES AND COMMENTS\*

ELIZABETH C. SHAW AND STAFF

ARISTOTLE. *De animalibus: Michael Scot's Arabic-Latin Translation. Part Two: Books XI–XIV: Parts of Animals*. Edited by Aafke M. I. van Oppenraaij. Aristoteles Semitico-Latinus, vol. 5. Leiden: E. J. Brill, 1998. xxvi + 589 pp. Cloth, \$176.00—Historian of science James G. Lennox has drawn attention to perhaps the most mysterious and remarkable feature of the history of Aristotelian natural philosophy. It is the apparent disappearance of Aristotle's biological research program after Theophrastus and its reappearance some 1500 years later in the work of Albert the Great. Interestingly, the mystery is not that Aristotle's zoological treatises were lost during these intervening years, for they were not; nor was it that they were unknown, for they were read and commented upon. Whatever the solution to this mystery, a crucial episode in the history is the availability to Albert and other thirteenth-century scholars of a complete Latin version of the *De partibus animalium* with its initial book devoted to scientific method. Albert, as it turns out, is the first philosopher to comment at length on this methodological text and to work out in great detail the application of the Aristotelian methods of division and demonstration to a zoological research program.

While Albert's contributions to Aristotelian scientific method have recently begun to attract scholarly attention, the history of the *De partibus animalium* text from which he worked has been largely unexplored. A start was made by Hermann Stadler, who in the years before the First World War provided a modern edition of Albert's paraphrastic commentary on Aristotle's zoological books. Working from Albert's autograph text contained in the Cologne manuscript (Historisches Archiv W258a), Stadler attempted to mark his edition to show which words were taken from the source text and which were Albert's own. As Albert's commentary is a *postilla* providing a continuous presentation of the source text mixed with digressions and additions, this procedure resulted in a less than satisfactory access to the state of the text as received by Albert. Nonetheless, Stadler's edition remained the only critical attempt at recovering this source text, Michael Scotus's translation from the Arabic, until the end of the twentieth century.

This situation is rapidly changing as Aafke M. I. van Oppenraaij makes the Scotus texts available in stages. In 1992, she published her critical edition of the *De generatione animalium* (books 15–19 of Michael Scotus's *De animalibus*) along with a comparative apparatus showing the

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\*Books received are acknowledged in this section by a brief resume, report, or criticism. Such acknowledgement does not preclude a more detailed examination in a subsequent Critical Study. From time to time, technical books dealing with such fields as mathematics, physics, anthropology, and the social sciences will be reviewed in this section, if it is thought that they might be of special interest to philosophers.



relation of Scotus's Latin text to the Arabic text as established by Brugman and Drossaart Lulofs (Leiden, 1971). She is currently working on an edition of the *Historia animalium* (books 1–10 of Michael Scotus's *De animalibus*). The present volume contains her critical edition of the *De partibus animalium* (books 11–14 of Michael Scotus's *De animalibus*). As with the earlier edition, van Oppenraaij provides a dual apparatus for her Latin text: one part showing the manuscript collations in the usual way and a second comparing the Latin text with the Arabic version edited by Remke Kruk (Amsterdam-Oxford, 1979). For this edition, van Oppenraaij has also included endnotes keyed to the Latin text including much useful lexical and other information. Also, included are Latin–Arabic and Arabic–Latin indices as well as a separate Greek index of biological, geographical, and personal names.

The version of the *De generatione animalium* of William of Moerbeke has long been available in the edition of H. J. Drossaart Lulofs (Bruges-Paris, 1966) and Moerbeke's Latin version of the animal histories has recently appeared in the edition of Pieter Beullens and Fernand Bossier (Leiden, 2000). Except for the Moerbeke version of the *De partibus animalium*, currently being edited by P. Rossi, the thirteenth-century Graeco-Latin *Libri de animalibus* is complete. The appearance of van Oppenraaij's edition of the *Historia animalium* will complete the Michael Scotus version. Thanks to all of these editorial efforts, contemporary scholars are close to having available the two principle sources of transmission of Aristotle's zoology. In addition to being significant contributions to the history of science, such source materials may assist in the solution to the intriguing mystery of the disappearance and reappearance of Aristotle's biological research program.—Michael W. Tkacz, *Gonzaga University*.

BONJOUR, Lawrence and Earnest Sosa. *Epistemic Justification: Internalism vs. Externalism, Foundations vs. Virtues*. Great Debates in Philosophy. Oxford: Blackwell Publishers, 2003. viii + 240 pp. Paper, \$29.95—This book is both a lively debate between two top epistemologists and a recapitulation of the main lines of the debate about epistemic justification over the last few decades. This makes it at once appropriate for undergraduate courses in epistemology as well as for graduate seminars (if supplemented). In the interest of brevity I will focus on their positive theses, leaving the reader to consult the book for their destructive arguments.

BonJour opens the debate, which is perhaps appropriate because he is defending the more traditional view (though it must be noted that BonJour is a recent convert to this position; a brief *mea culpa* appears on p. 56). His section is called "A Version of Internalist Foundationalism." He begins with the Regress Argument in the first chapter, "The Regress Problem and Foundationalism." The challenge is for foundationalists to offer foundations which are nonarbitrary. BonJour tries to meet this challenge in chapter 4, "Back to Foundationalism," where he tries to rest all knowledge on awareness of the content of beliefs. The main burden of this chapter is to deal with the Sellers Dilemma: is awareness of content judgmental or not? If it is, then what justifies this judgment? If it is not, how does it justify anything? BonJour argues that awareness of



a belief's content and of its assertive character are constitutive of what it is to have a belief. He thinks this goes between the horns of the Sellers Dilemma (p. 63). Then, in chapter 5, "The Conceptualization of Sensory Experience and the Problem of the External World," BonJour tries to show that this foundation of constitutive awareness of content can bear the weight of all our ordinary knowledge claims. This will obviously involve the thorny issue of inferences from states of our own consciousness to states of the external world. BonJour addresses this most crucial issue in his last section, 5.5, "The Inference to the Physical World." In the tradition of Locke and Berkeley, BonJour offers an inference to the best explanation. The best explanation of the systematic nature of our experience is a world with corresponding properties and causal powers impinging upon our senses. This is all very well, but BonJour never addresses the controversial issue of justifying inference to the best explanation. Given BonJour's rejection of coherentism, this seems like a major lacuna. One problem he does mention is that technically this leaves most people without justification, since very few of them ever actually perform such an inference. He doesn't find this too troubling, since "the argument is in principle available to them," yet this is nothing other than a fairly pervasive form of skepticism.

Sosa's half of the book is called "Beyond Internal Foundations to External Virtues." It begins with three very enlightening chapters; two on the nature and structure of knowledge which will richly reward close reading. However, in the interest of brevity, I will focus on his positive presentation of his thesis in chapter 8, "Skepticism and the Internal/External Divide," and chapter 9, "A Virtue Epistemology." In the first, Sosa adopts a quasi-pluralist stance, admitting that there is something valuable in positive epistemic status deriving solely from internal conditions (pp. 147, 163, and others). The New Evil Demon argument shows this. However, Sosa argues by cases (p. 151), internal considerations cannot capture all forms of positive epistemic status. He seeks to provide a virtue theory which can account for both internalist and externalist intuitions.

Sosa's account of epistemic justification is subtle and complex. It is centered around the following two claims entailed by virtue epistemology: (V-Apt) For all possible worlds *w*, B is apt-justified in *w* only if B derives in *w* from the exercise of one or more intellectual virtues that *in that world w* would produce a high ratio of true beliefs. (V-Adroit) For all possible worlds *w*, B is adroit-justified in *w* only if B derives from the exercise of one or more intellectual virtues that *in our actual world* virtuously would produce a high ratio of true beliefs.

The first clause is meant to capture externalist intuitions about the importance of reliability. The second clause is meant to accommodate the intuition of internalists that even if we were systematically deceived we would still be justified if we reasoned just as we do now. He considers how NED-theorists might respond to this and offers rejoinders. He also considers problems of circularity which arise in connection with the claim that we are reliable given that this cannot be introspected. Given the complexity of Sosa's view and the number of questions he raises, it would have been better if he had presented his theory earlier in his section and spent more time defending it. As it is, his case is rather underargued, and he only has space to treat objections lightly. This debate is at times tough-going but always rewarding.—Trent Dougherty, *University of Rochester*.



BROGAN, Walter. *Heidegger and Aristotle: The Twofoldness of Being*. SUNY Series in Contemporary Continental Philosophy. Albany: State University of New York Press, 2005. xiv + 189 pp. Cloth, \$60.00—Brogan provides an overview of Heidegger's Aristotle interpretation for scholars of both Heidegger and Aristotle, rather than showing how Heidegger's thought developed from his reading of Aristotle.

Heidegger reads Aristotle to retrieve the experience of being that was the background for Aristotle's thinking. Many elements that appear in *Being and Time* are already present in Heidegger's 1922 lecture on Aristotle. In particular, both *sophia* and *phronêsis* disclose an *archê* in its pregiven priority, something normally withdrawn from everyday life. This lecture shows how "a notion of nonbeing and refusal . . . belongs to being itself" (p. 19), and it introduces the twofoldness of being central to Heidegger's interpretation of Aristotle.

Heidegger emphasizes the ambiguity of *phusis* as both a name for being as a whole and particular being. The particular being is not nature but *kat'phusei*, in accordance with nature. A "cause" for Aristotle is "a more fundamental *kinêsis*" (p. 31), itself a kind of movement of the disclosure that belongs to a particular (kind) of being. The end of a motion (*telos*) is the "coming into appearance" (p. 32) of the *eidos*. This ties *phusis* to *alêtheia* and shows how the other senses of *ousia* (the categories, *technê*) presuppose the disclosure of the being on which they rely. Aristotle's use of *ousia* is twofold, since it means both what becomes present and also presencing itself, the "manifestation of beings" (p. 48) as a whole (*phusis*).

Aristotle's confrontation with the Eleatics is a deconstruction of their ontology: seeking to preserve *ousia* as one, they do so by denying the movement of manifestation as whole that their argument presupposes. What are most real are not the elements (*stoicheia*) of unchanging being but the principles that govern *kinêsis*. Heidegger understands *aidion* not as an eternal being but as enduring being, what endures through change: the reality of the *tode ti*. But even the account of *kinêsis* does not reach coming into being from nonbeing as Aristotle's account of *genesis* does. *Sterêsis* shows the twofoldness of being in the interaction of *hulê* and *morphê*, when the latter are understood ontologically in terms of the unconcealment of the aspect (*eidos*) of what the particular being reveals itself to be. But this makes *sterêsis* a principle like *morphê* insofar as it functions as a principle (*archê*) prior to the coming into being of particular being.

Aristotle preserves the Presocratic openness to nonbeing. Aristotle's notions of *dunamis* and *energeia* show that *energeia* is not statically in opposition to *dunamis* but is the fulfillment of something enabling its own capacities, powers made manifest in their resistance to other beings. This sense of holding back from being manifest but enabling the manifestation of its power Heidegger calls "force" (*Kraft*). Contrary to the Eleatics, we can say nonbeing "is" in the sense that something *dunamis echein*, something holds back from complete presence. Human being has a constitutive relation to *dunamis* because it exists "in relation to opposites" (p. 127), in a gathering of opposites into *logos*.



This relation brings Brogan back to the practical dimension in Heidegger's interpretation of Plato and Aristotle. The *Sophist* shows the bond between the ontological and the personal because the philosopher (unlike the sophist) uses dialectic to pass "through speech" (p. 161) (*dialegesthai*) to achieve a true *logos*. Aristotle is more radical in his understanding of this problem: dialectic is simply the way to *theorein*, while *nous* goes past saying something about something (*ti kata tinou*) to address the matter itself, *kath'auto*. This is another twofoldness of disclosure, and also shows how the existential and the everyday are applied again, this time to Plato and Aristotle. Even *nous* is split between the *nous praktikos* concerned with conscience and the ultimate particular, and the theoretical *nous* or *sophia* concerned with "the extreme *katholou*" (p. 175), the whole of being. Heidegger argues that Aristotle's thought presumed the twofoldness of the ontological and the ontic, but that he never made this understanding thematic.

This review cannot do justice to how Brogan provides an especially clear exposition to parts of Heidegger's Aristotle interpretation. Any serious student of Heidegger should give this book careful scrutiny for the way in which it gives fresh meaning to core issues in Heidegger's understanding of *phusis* and *technê*, the ontological difference, Heidegger's understanding of the Greeks generally, and especially how Aristotle's ontology wrestles with the problems inherited from his predecessors. However, the interpretation sometimes moves episodically from one theme in Heidegger's Aristotle interpretation to another. In addition, there are a shocking number of typographic errors, such as changing typefaces in one word, transposed footnotes, and misspellings. There are also two places in the text where many lines are repeated verbatim.—Pierre Mauboussin, *Chicago*.

DAVIDSON, Donald. *Truth and Predication*. Cambridge: Belknap Press of Harvard University Press, 2005. 180 pp. Cloth, \$29.95—This work was published posthumously, and its title hints at the two sorts of sources it is based on. The first is Davidson's series of John Dewey lectures on truth, given at Columbia University in 1989. It is reprinted here in the same form it took when it originally appeared in 1990 in the *Journal of Philosophy*. The second source are the lectures on predication Davidson gave over a period of years. The material has been carefully prepared by his wife, Marcia Cavell, from a final set of revisions which have been incorporated into the text and the notes.

The first three chapters are devoted to truth, the next three to predication, and the final chapter to Davidson's solution to the problem at hand: the problem of predication.

On truth, Davidson advocates for his own variant of Tarski's theory. Sentences in a special sense serve as the main vehicle of understanding and communication. They are also the vehicles of truth. And it is the latter role that explicates the former. For Davidson truth in a quasi-



Tarskian compositional guise is the means by which this is effected. Predicates play a bottom-up role in this semantic endeavor. In favoring Tarski's "realist-objectivist" (this reviewer's phrase, not Davidson's) conception of truth, Davidson is critical of epistemological conceptions such as the coherence and the pragmatist theories of truth. With the aid of this modified Tarskian conception, Davidson's own view makes truth essential for "understanding, criticizing, explaining, and predicting the thought and action of creatures that think and talk" (pp. 2-3).

Davidson initially states what he calls "the problem of predication" in terms of Plato's twofold (semantical and metaphysical) versions. He then considers Aristotle's treatment of it and its later history before offering a solution in the last chapter. According to Davidson, Plato posed the problem in both a metaphysical and a semantical form. Semantically, it is the relation of subject (paradigmatically singular subject, for example, "Theatetus") and predicate ("sits") in a (singular) sentence ("Theatetus sits"). Metaphysically, it is the relation of particulars to universals. It also comes to be known as the question of the unity of a proposition. Plato, Aristotle, Medievals, Hume, Kant, Bradley, Moore, Frege, Russell, Strawson, Quine, and Sellars have all dealt with it. Davidson is critical of their solutions. He then provides in chapter 6 an account of the relation of truth and predication which serves as a preamble to the last chapter in which he offers his solution.

He is critical of the correspondence theory of truth. However, closer inspection reveals that what he is really focusing on is correspondence in its Russellian (and others) "corresponds to the facts" form. Part of the criticism is the appeal to facts as extra and problematic ontological posits. At a different level of criticism Davidson invokes what has come to be known as the slingshot argument. Its effect is that all true sentences refer to the same object/fact. This has the undesirable consequence that a given true sentence, for example, "Theatetus sits" turns out to be true because of the referent of another quite different true sentence, for example, "Socrates is human." More liberal uses of the notion of correspondence such as appealing to notions like saying the sentence "Socrates is human" is true because that is the way the world is are tolerated as just capturing the objectivity of truth. Inspired by Tarski these can be restated innocuously by stating a variant of "Socrates is human" is true because (if and only if) Socrates is human.

In preparation for his solution, Davidson considers the close relation of predication and truth. Sentences are basic in understanding. The conditions for their truth are the vital factor, and predication is crucial in such conditions. Davidson's solution is summed up in the last sentence of the book: "the contribution of predicates to the truth conditions of sentences depends on and is explained by our grasp of the concept of truth." I take liberties in unpacking his conclusion in the following way. Davidson endorses Tarski and his truth/satisfaction account. Tarski explained how a predicate contributes to the truth of basic sentences and from there to more complex sentential constructions. Tarski used this to define truth. Davidson is not defining truth. Instead, he uses truth (in a sense as a primitive) to explain predication. Accordingly, predication is explained in terms of the truth of such predications. This is the building block of our truth conditions. Understanding, for Davidson, is tak-



ing in the conditions under which a sentence is true or false. And understanding is of the essence of such crucial cognitive and communicative activities as judging, asserting, questioning, commanding, and so forth.—Alex Orenstein, *City University of New York*.

DAVIDSON, Donald. *Truth, Language, and History*. Oxford: Clarendon Press, 2005. Cloth, \$24.95—When Donald Davidson died in August 2003, this collection of essays (except for the introduction) was already contracted for and was ready to go to Oxford University Press. His wife, Marcia Cavell, supplied the introduction. The twenty or so essays cover quite diverse material. Hence it is not possible to provide a unified review based on some single central theme. The essays are almost exclusively from the 1990s and have all appeared elsewhere. The volume is organized around four topics: Truth, Language, Anomalous Monism, and Historical Thoughts.

In the six essays on truth, Davidson states and defends his view of truth. He maintains that while it is a substantive concept, it is not the correspondence relation, nor some epistemological concept, and it is not definable in terms of some other semantic primitive. As a substantive concept it stands in opposition to deflationary views. While truth is substantive on correspondence accounts, Davidson will have nothing to do with such correspondence and the problematic facts that are the supposed relata of the correspondence relation. Though his view depends most heavily on Tarski, unlike Tarski truth for Davidson is primitive and undefined. It is not an epistemological notion in either the sense of the coherence, pragmatist, or some other theories.

As for Quine, ontological concerns go hand in hand with “realist-objectivist” (this reviewer’s expression) conceptions of truth. While he shares Quine’s view of ontological commitment, the two differ over issues such as the inscrutability of reference. Davidson finds it less of an issue than Quine does. Another crucial difference is their view of triangulation. Triangulation is the relation between communicating speaker and hearer in the presence of some other factor. Davidson and Quine differ over that third factor. In the latter of the essays in this section Davidson argues for distal objects in the world and against Quine’s choice of proximal stimulus conditions as the factor. Davidson appeals to rabbits and Quine to rabbit stimulations.

One of the strands that connects some of the essays in the section on language is Davidson’s defense of the claim he makes in the first essay, “A Nice Derangement of Epitaphs.” In it he says that “[t]here is no such thing as language.” Part of his intention is to argue that in a sense language is more a matter of idiolect than of language as philosophers conceive of “language.” He is opposed to the view that language-users share a set of conventions and rules which define language. Davidson puts shared information in place of such shared rules. His picture is captured in the notion of triangulation. So, for example, communication



consists of speaker and hearer in relation to objects in the world with the two sharing background information and the distal objects accessed in the world. In that essay and later ones Davidson makes his point by focusing on cases where successful communication occurs but where words (language in the philosopher's sense) are used incorrectly. Malapropisms are a case in point. We all understand what Mrs. Malaprop was saying when she spoke of allegories on the bank of the Nile. Davidson also applies these thoughts to literary language such as metaphor and fiction. In these essays he mentions his "causal theory" (this reviewer's expression) of metaphor. Metaphor works because blatant truths ("No man is an island") and blatant falsehoods cause us to have some thoughts. On fiction Davidson relies on the importance of shared background information for processing/following/understanding a story. Both the author and readers of *Anna Karenina* make the ordinary background assumptions about the characters, and so forth, in the novel.

In the section on anomalous monism, Davidson's solution to the mind-body problem receives amplification. His famous linguistic dualism is offered to supplant Cartesian ontological dualism. In the place of the mind-body split we are provided with a split between mentalistic sentences and bodily physicalistic ones. The underlying ontology for this linguistic dualism is materialist, including only bodies and events. In the two essays in this section Davidson defends his anomalous monism against a criticism and in doing so clarifies how he uses the concepts of causality, law (physical and psycho-physical), and supervenience.

The remaining chapters on historical thoughts are divided between the first three, which take up the question of what the task of philosophy is, and the last two, which deal with two historical figures, Aristotle on action and how Spinoza's views relate to his own anomalous monism. In the first three Davidson pursues the question of the nature of philosophy via a historical route. He turns to Plato and the role of the Socratic Elenchus in philosophy. This special form of conversational dialectic or give-and-take encapsulates one of Davidson's themes, that truth emerges from special forms of the social interchange of information.—Alex Orenstein, *City University of New York*.

- DAVIES, Brian, and Brian LEFTOW. *The Cambridge Companion to Anselm*. Cambridge: Cambridge University Press, 2004. xiii + 323 pp. Cloth, \$65.00; paper, \$29.99—Anselm is best known for his ontological argument, and yet there is much more to the man and his thought than a single argument, as the articles collected in the *Cambridge Companion to Anselm* amply demonstrate. Brian Davies and Brian Leftow have drawn together many of the leading scholars working on Anselm today, all who have contributed outstanding articles on virtually all aspects of Anselm's thought. Moreover, virtually all the articles are a nice mix of history and philosophy, situating Anselm's thought within its own historical and cultural context, while showing the relevance of his works to



numerous contemporary philosophical and theological issues. The *Companion to Anselm* will certainly be of interest to students of early medieval thought and the development of later scholasticism. More broadly, the volume will appeal to readers engaged in the history of ideas, as well as to those sympathetic to the idea that a proper understanding of philosophical systems within their own historical framework can still provide fresh insights into contemporary topics. In short, this work is a superb collection that will enrich anyone who picks it up.

The volume is loosely divided into three parts: (1) the historical and cultural background of Anselm and his works, (2) studies treating "philosophical" issues, and (3) studies treating "theological" issues. Let me make two points of clarification about this classification. First, I say "is loosely divided into three parts," since the collection reads in large part like a single, flowing narrative rather than disparate and disjointed articles. Themes developed in one article are often seamlessly picked up in other articles, resulting in a comprehensive and systematic understanding of Anselm's overall thought. Second, the last two divisions into "philosophical" and "theological" aspects is somewhat artificial, since philosophical themes are woven into his theological doctrines, and theological concerns often drive his philosophical discussions. Whether the conceptual coherence of the volume is by chance or design, it certainly is one of the great strengths of the *Companion to Anselm*.

Two articles—G. R. Evans's "Anselm's Life, Works, and Immediate Influence," and Gareth Matthews's "Anselm, Augustine, and Platonism"—present the historical and cultural background to Anselm as well as his most immediate sources. Evans's chapter is an excellent overview of the life and time of Anselm that provides not only a portrait of the man but also a glimpse into the society that forged the man. Matthews's piece documents the Augustinian and Platonic elements or influences in the works of Anselm and begins to lay out the case that Anselm, as Matthews puts it, is "much more of a philosopher's philosopher than Augustine ever even aspired to be" (p. 81).

Included among the philosophical topics is Marilyn McCord Adams's treatment of Anselm on the perennial question in the philosophy of religion: what is the relation of faith and reason? This account is not only an excellent textual and historical survey, but it also provides an eminently plausible attitude for contemporary Christian (or Jewish or Muslim) philosophers to adopt. Other philosophical topics are Anselm's philosophy of language (Peter King), theory of modalities (Simo Knuuttila), and perfect-being theology (Brian Leftow). Related to Anselm's perfect-being theology is his famous and much discussed ontological argument. Brian Davies's clear exposition of the argument not only offers a solid reconstruction but also adds a new twist, namely, that the way one thinks about God—whether as akin to Santa Claus or akin to a viable scientific hypothesis—affects how one should evaluate the argument. Finally, the joint articles of Sandra Visser and Thomas Williams on Anselm's account of freedom and truth, coupled with Jeffrey E. Brower's account of Anselm's ethics, all philosophically rich, make up a conceptual unit, and although each can be read independently of one another, when read together they offer a fuller picture of Anselm's thought on these issues.

Under the rubric of theology are William E. Mann's presentation of Anselm's account of the Trinity—which makes that doctrine as clear as the doctrine of the Trinity can be made—and David Brown's challenge to the long-held belief that Anselm's account of atonement is modeled



after a medieval feudal system that is no longer relevant to contemporary Christians. Indeed, Brown's article represents intellectual history done at its best. He persuasively argues that far from taking over the thought and language of feudalism, Anselm's theory of atonement is in fact indebted to Augustine, Platonism, and the language of the Latin Bible.

In summary, *The Cambridge Companion to Anselm* is an outstanding work of uniformly high quality studies, which provide rich and generally accessible, if not enjoyable, accounts of the life and thought of one of the Latin medieval world's most outstanding thinkers.—Jon McGinnis, *University of Missouri, St. Louis*.

DICKER, Georges. *Kant's Theory of Knowledge: An Analytical Introduction*. New York: Oxford University Press, 2004. xv + 262 pp. Paper, \$21.95—Georges Dicker's introductory book on Kant provides a detailed analysis of the central transcendental argument of Kant's *Critique of Pure Reason*, which concerns the a priori character of human knowledge. The book is written for both graduate and undergraduate students, as well as non-Kantian specialists, and it is intended to provide "an analysis for those crucial sections of the *Critique* where Kant presents his constructive theory of knowledge" (p. vii). What makes Dicker's book stand out is the exactitude and rigor of his analysis, focusing almost exclusively on the legitimacy of Kant's a priori claims concerning the concepts of substance and causality.

Dicker begins in chapter 1 by locating Kant within the broader Rationalist/Empiricist tradition, clarifying key terms while stipulating how these terms relate to current debates in analytic philosophy. Far from providing a simple inventory of technical vocabulary, Dicker constantly points out the ambiguity in much of Kant's terminology and how this can lead to radically different accounts of the Kantian project. As Dicker makes clear throughout, his reading of Kant is concerned with presenting those aspects of Kant's transcendental argument that are most defensible, spending considerable time arguing for what remains legitimate in Kant and what does not. One of the first crucial distinctions Dicker argues for on this score is the contentious issue of the thing-in-itself. Unlike other influential analytic readings of Kant, most notably P. F. Strawson, Dicker supports a weak version of transcendental idealism ("weak TI") which does not avoid Kant's "transcendental psychology," as does Strawson, but rather asks: "what can we know about what human experience must be like, without prejudging or even addressing the question of whether that experience conforms to things as they are quite apart from our experience" (p. 46). Accordingly, Dicker thinks it best to approach Kant not in terms of how synthetic a priori knowledge is possible, which is Kant's claim, but in terms of what we can actually learn about how human experience functions. Although less ambitious than Kant's original proposal, it has the virtue of specify-



ing how Kant broadens our conception of knowledge while avoiding the countless pitfalls, inconsistencies, and dead-end arguments that can distract even the most careful reader of the *Critique*.

Chapter 2 provides an analysis of the Transcendental Aesthetic, in which Dicker contends that neither space nor time is synthetic but at best “unobviously analytic,” since we can only legitimately say what space and time are like for subjective human experience, and not that these forms have no independent reality (p. 45). Dicker’s focus is on the objectivity of human experience rather than its synthetic a priori character. This is most obvious in his treatment of Kant’s Transcendental Analytic, which deals almost exclusively with the “objective validity of the categories of substance and cause,” demonstrating in the process how Kant successfully refutes Hume’s skepticism (p. 50). Dicker’s strategy is to make it as easy as possible to follow Kant’s main argument and so he reorganizes Kant’s presentation accordingly, beginning in chapter 3 with an overview of the logical forms of judgment, otherwise known as the “metaphysical deduction.” Chapter 4 walks the reader through the first and second version of the transcendental deduction of the categories, while chapter 5 indicates how these two versions actually dovetail to support a two-tiered account of time that supplies the definitive arguments for Kant’s Analogies of Experience, namely, substance, causality, and interaction, which are dealt with respectively in chapters 6–8. The book concludes by demonstrating how Dicker’s approach of “weak TT” is best capable of salvaging the epistemological claims of Kant’s position, while conceding that although most of our experience will have to presuppose the laws of casual interaction, not all human experience necessarily has to.

Dicker’s book is filled with insightful clarifications that confirm Kant’s epistemological relevancy to the analytic tradition. Whether this book is an introductory text accessible to undergraduates, however, is another issue. Even with the helpful summaries at the end of each chapter that review the central arguments, and Dicker’s recommendation to follow along with Kant’s *Critique* in hand, so much of Dicker’s book is devoted to defending his own version of Kant that the latter chapters make it very easy for an undergraduate or nonspecialist to get lost in competing interpretations. That the book gives a credible, albeit narrow, reading of Kant there is little doubt, but whether first-time readers of Kant should consult it is another matter.—Jason Howard, *Viterbo University*.

- DILLON, John. *The Heirs of Plato: A Study of the Old Academy (347–274 B.C.)*. Oxford: Clarendon Press, 2003. x + 252 pp. Cloth, \$72.00; paper \$35.00—John Dillon, a distinguished classical scholar, now serving as Regius Professor of Greek at Trinity College, Dublin, has provided in *The Heirs of Plato* what is likely to be for decades the authoritative scholarly account of the philosophical development and doings in Athens of the Academy of Plato during the first century after his death. This



generally well-received book has been properly acclaimed as "learned, clear, stimulating, and extremely useful . . . a mind-expanding tonic." It has also been said, "John Dillon has done students of Platonism a keen favour by illuminating with notable lucidity a particularly vexing era in the history of Platonic studies." His is an account which is respectful of "the impressive flexibility and openness of the Academic tradition" (p. 237). He is respectful as well of scholarly sources both ancient and modern, even as we can be reminded of how Plato eludes the professional philosopher today.

Instructive suggestions are made in this book about the careers in "philosophy" of dozens of scholars associated with the Academy (see, for example, pp. 13–14). These are men (and perhaps two or three women) whom even those of us today who are quite interested in the work of Plato are not apt to know much about, even if we happen to have heard their names. Much of what is collected in this painstakingly compiled book resembles the kind of professional gossip, albeit on a higher level, that one can encounter in philosophical circles today. John Dillon, in his grace and deftness, can perhaps be thought of as the C. P. Snow of the ancient academic scene. We can see, with his help, how an intellectual tradition develops—and how receptive it might be to somewhat inconsistent lines of development, culminating perhaps (as is argued in this case) in systematic skepticism. This argument is introduced by these suggestions: "[To some extent], the interests of the [Platonic] Academy developed very much in parallel with those of the [Aristotelian] Lyceum, with, no doubt, some cross-over of pupils between the two institutions. . . . It . . . appears as if, in the second generation after Plato, the Academy had become a centre for the pursuit of practical ethics and general culture, rather than a powerhouse of metaphysical speculation. Indeed, it may well be that by the mid-270s [B.C.] there may have been a widespread perception that [the Academy] was running out of steam, especially by comparison with the energy of the new dogmatic schools of Stoicism and Epicureanism, imbued as they were with evangelical zeal. It was time, many members must have thought, for a change of direction, a rediscovery of Socratic roots" (p. 233).

Various of the "minor" figures whose work now has to be substantially reconstructed were probably superior (in their intellectual aptitudes) to most of us academicians (and not only, of course, in their grasp of the vital Greek language). And yet we have long found it much more useful to study the works of Plato and Aristotle than what can be gleaned from the surviving fragments attributed to these alternative minds of antiquity. A sobering reminder is provided here of how little is apt to be taken seriously, even a couple of generations from now, not only of what any one of us manages to publish, but also of what our most eminent contemporaries say (see, for "a solemn thought," p. 39).

It can be startling, for amateurs grounded primarily in Plato and Aristotle, to encounter, especially in the first half of this Dillon survey, the author's repeated "personal" digs at Aristotle (with his supposed tentatiousness and sarcasm, if not even his meanspiritedness and virtual dishonesty, referred to several times. See, for example, pp. 4, 10, 20–1, 23 n., 36, 40–2, 43, 48, 51, 64, 82, 85, 88, 90, 108, 111. Compare, for example, pp. 107, 138–40, 114 n. 156, 154–5). But then, it is suggested, even Plato's Socrates could be "less than fair to a position of which he disapproved" (p. 72; see also pp. 80–2). Consider, as well, the questionable assessments of Platonic characters such as Cephalus and Callicles (pp. 35, 97).



In short, the Dillon portrait of Aristotle questions, in effect, that intimate relation between virtue and understanding argued for by both Plato and Aristotle. It seems to be assumed, in any event, that we understand Plato better than Aristotle did. If we credit the tradition which has a surpassingly gifted Aristotle associating with Plato for two decades (p. 17), it may be prudent to assume that Aristotle understood Plato better than we can reasonably hope to—and that the apparent critical differences between Plato and Aristotle may usually be due to differences in circumstances, including (besides political developments in the Greek world) a settled awareness of what had been adequately dealt with already by Plato by the time that Aristotle reached his full powers. It may be virtually impossible, therefore, for most of us today to be reliable in our identification of the fundamental differences between Plato and Aristotle—and to be competent enough not only to choose between them when they seem to differ but also to determine what differences truly matter.

The traditional stature of Plato can be endorsed for us by the recollection of the ancient myth which suggested that he had really been fathered by Apollo (see p. 38; see, on Plato's relation to Zoroaster, pp. 199–200). Another (earlier) figure of cosmic proportions, who repeatedly challenges our understanding, is Pythagoras. Professor Dillon has already written at length elsewhere about the Pythagorean way of life.

Still another, considerably later, thinker to be reckoned with is Plutarch, who tends to be underestimated by moderns as a philosophical practitioner, as is Isocrates. Also generally underestimated today is Diogenes Laertius, who *is*, however, usefully drawn on in the Dillon book, as are Cicero and Plutarch (see pp. 250–1). Generally underestimated among us as well is Xenophon, that distinctively adventurous student of Socrates, who does not seem to be recognized in the Dillon account as of any significant influence in the grand philosophic tradition inherited by us from classical Greece. Looming in the background, as challenging alternatives to the sober Platonic-Aristotelian “system,” are Democritus and Zeno. There may even be found here useful materials for contemporary advocates of intelligent design (see, for example, pp. 186, 246 [god, gods]; compare pp. 95–6).

However all this may be, we can be reminded of significant differences between Plato/Aristotle and ourselves, when we recall that they did not regard *one* as the first odd number, that it is *not* “on the same metaphysical and logical level as all the other numbers” (p. 51; see also pp. 54 and following). Consider, also, for Alfarabi's instructive emphasis on “the similarities between Plato and Aristotle,” Christopher Colmo, *Breaking With Athens: Alfarabi as Founder* (Lanham: Lexington Books, 2005), p. ix.

It is suggested by the jacket text for this account, “Dillon's clear and accessible book fills a significant gap in our understanding of Plato's immediate philosophical influence, and will be of great value to scholars and historians of ancient philosophy.” The professional academic philosopher today is apt to endorse this generous assessment.—George Anastaplo, *Loyola University of Chicago* and the *University of Chicago*.



FALCON, Andrea. *Aristotle and the Science of Nature: Unity without Uniformity*. Cambridge: Cambridge University Press, 2005. xvii + 139 pp. Cloth, \$75.00—This remarkable little book provides a clear introduction to Aristotle's philosophy of science and is one that could be used in the classroom at both the graduate and undergraduate levels. As Falcon explains, the natural world for Aristotle consists of two domains, the sublunary world of terrestrial experience and the celestial world. The natural world possesses sufficient unity to be the object of a single general science, yet there are features of the celestial world that outrun the explanatory resources developed in the study of the sublunary world. Aristotle reasons that the celestial realm is in part composed of principles unique to its order. It may be intelligible in itself, but what is intrinsically intelligible may not be fully known by us.

The key chapter of this book is chapter 3, in which Falcon examines Aristotle's doctrine of motion and change. In an attempt to explain circular motion within the context of his study of natural motion, Aristotle is obliged to account for the unusual motion, by terrestrial standards, of the celestial bodies. He is committed to the view that the characteristic behavior of the celestial bodies—their complex but regular motion around the earth—requires the recognition of a specific type of causal principle. He credits celestial bodies, not with mere life but with intelligent life because of their special features: they are not subject to generation and corruption, and they are engaged in a type of motion that cannot be explained except by invoking the notion that somehow their motion is willful. Terrestrial motion can be explained in the light of the four causes, but no causal impetus can be identified as the source of celestial motion. Celestial motion has to be taken as a case of voluntary motion, bodies acting of their own volition. This may be a shocking conclusion to the modern reader, but the reasoning process by which Aristotle is drawn to that conclusion is worthy of consideration. For Aristotle, science is not mere description or the ability to predict on the basis of previous experience; the aim of science is causal explanation in the interest of understanding. A scientific explanation consists in rendering intelligible something that is not intelligible in terms of its self.

Although Falcon seems primarily interested in the *Meteorologica*, he nevertheless devotes some attention to the *de Anima* in the interest of situating the study of living things within the general science of nature. The study of plants and animals presupposes certain conceptual resources developed in the course of Aristotle's study of the principles of change and the four causes. Since animals and plants are perishable things, one has, from Aristotle's perspective, to be clear about the nature of perishing. Perishing is a case of going out of existence rather than a case of becoming something else. Living and nonliving sublunary things are configurations that come into existence, endure for a while, and finally go out of existence. All properties of living things are to be explained by appealing to the nature of which they are manifestations. A living thing is a composite of matter and form. The form of a living thing, a soul, is the internal principle of regulation and unity. Aristotle calls it the first actuality of a body that is not only natural but organic. The study of the soul falls within natural philosophy, yet Aristotle is con-



vinced that there is not just one science, but sciences. Following Aristotle's lead, Falcon does not make a detailed study of the *de Anima* in the present work.

Falcon clearly establishes that for Aristotle there is a region in the province of the science of nature where we are confronted with difficulties exceeding our capacity to provide a solution. Approximately 2000 years separate Aristotle and Newton. What Aristotle took as intelligible in itself through the centuries has gradually become intelligible to us. The *Meteorologica* may have been superseded long ago as a text for the study of celestial phenomena, but Falcon makes clear that it can still be studied for its attempt to account scientifically for data that resisted explanation by what was then available from a study of the sublunary world.—Jude P. Dougherty, *The Catholic University of America*.

GERSH, Stephen. *Reading Plato, Tracing Plato: From Ancient Commentary to Medieval Reception*. Aldershot, United Kingdom: Ashgate Press, 2005. xix + 330 pp. Cloth, \$114.95—This collection examines Platonic influences on European speculation between the fourth and fourteenth centuries. Speculators are treated in historical order, although four principal focuses synchronically unify differing groups of essays emphasizing particular considerations: (a) the transmission of doctrines, (b) ontology, (c) language and being, and (d) semiotics.

The initial focus dominates essay 1 on the medieval legacy of ancient Platonism. An inventory is presented of the few direct medieval citations of Plato's texts, along with references to Platonists derived from doxographical traditions that coexisted with specific textual references to Plotinus and Porphyry, especially as illustrated in major works of Augustine. Essay 2 compares monosemy, polysemy, and ontology in Plato's *Cratylus* with Eriugena's and Anselm's assimilations of Plato's doctrines mediated through Calcidius, Macrobius, Martianus Capella, Boethius, and Augustine, and it terminates with insights of Hugh of St. Victor concerning the compatibility of polysemous and mathematical discourse. Essay 5 examines Aristides Quintilianus' musical theories in light of his metaphysics, and his depiction of the human soul's ascent as likely echoing Porphyrian doctrines, as well as the utilization of the latter by Martianus Capella in his allegorical depictions of Neopythagorean themes. Chapters 6 and 7 respectively examine Proclus' theological methods and exegesis of *Timaeus*, the former elucidating his integration of dialectical analysis with entheasitic, iconic, and symbolic modes of exposition to present Plato "as theurgic priest," and the latter Proclus' elaboration of this dialogue in terms of nature, demiurgy, and binary structure. Essay 15 succinctly analyzes the *Clavis Physicae* of Honorius Augustodunensis as a distillation of Eriugena's *Periphyseon*. Essay 16 examines the important twelfth-century Platonic commentary on Boethius' *De trinitate* attributed to Thierry of Chartres, which relies on a variety of Platonisms and "much Aristotelian



doctrine." The final study in this group is 18, which examines Berthold von Moosburg's usage of Proclean sources to elucidate the microcosm/macrocosm theme and to present evidence of his deviation from and restoration of distinct Proclean doctrines under the influence of Dionysius Areopagite.

The second focus is evidenced in study 3 on Neoplatonic musical theory, which portrays Porphyry's development of the notions of *dunamis*, *logos*, and *armonia* to invest the science of music with "elaborate metaphysical meanings." A brief fourth essay convincingly argues that the fourth-century Christian commentator on the *Timaeus*, Calcidius, should continue to be viewed primarily as an eclectic Platonist influenced by Middle Platonic doxographical traditions, along with Neopythagorean tendencies mediated by Numenius and Porphyry. Chapter 9 examines the critical problem of immediate and mediate causation in Eriugena, and it surveys his major Neoplatonic predecessors to conclude that for Christian Neoplatonists multiplication of effects from a primal cause takes "place within the First Principle itself instead of simply within emanations subsequent" to such. Chapter 10 presents Eriugena's understanding of divine omnipresence as coordinate with the Dionysian axiom that God is "essentia omnium," which Eriugena elucidates through two similes, that of "light's diffusion and . . . a subjective multiplication of divine presence." The fourteenth and last essay in this group carefully analyzes Anselm's *Monologion* and *Proslogion* to reveal the former as dialectically moving from a "psychological *ratio*" to intimation of a "theological *ratio*," and the latter as complementing this by disclosing the "ontological *ratio*" of the transconceptual God through the exercise of its "logical correlate."

The relations of being and language are emphasized in essays 11 through 13, which respectively center on the structure of return in Eriugena's *Periphyseon*, his *Ars rhetorica*, and the implications of his doctrines concerning structure, sign, and ontology. While the last study suggests that "logical metaphor is to logic in [Anselm's] *Monologion*" as "arithmetic [is] in Eriugena's exposition of the divine names," it presupposes conclusions in the prior studies which insist that Eriugena's rhetorical practice is a unique "fusion of philosophy and poetry" forged to elucidate hierarchy, procession, and return in terms of "a motion from non-spatiality and atemporality into the spatio-temporal."

The ultimate focus on Platonism and semiotics is discernible in essays 8, 17, and 19. The first analyzes Boethius' elaboration of a theory of topics to constitute dialectical and rhetorical space by extensively documenting his sources and exploring his applications of the term "topic" to the propositional and nonpropositional as correlates of discursive and nondiscursive intelligence. The second explores the twelfth-century revival of Neoplatonic Virgilian exegesis in the works of Bernard Silvestris and John of Salisbury, with emphasis by the former on integration of Macrobian exegetical principles to determine poetic fiction versus philosophical truth with complementary considerations of an author's intention, method, and purpose. Appropriately, the last essay, chapter 19, proposes potentially fruitful and sterile exchanges that might be pursued between Neoplatonic studies and semiotics.



These studies examine many significant figures with novel approaches and offer exacting documentation to support nuanced conclusions on topics of enduring interest from antiquity to contemporaneity.—Michael Ewbank, *Logos Institute*.

GOLDSMITH, Jack L. and Eric A. POSNER. *The Limits of International Law*. New York: Oxford University Press, 2005. 262 pp. Paper, \$29.95—As the United Nations, the World Bank, the International Monetary Fund, the World Court, and other institutions seek to expand their reach, often invoking the concept of “international law,” this is a welcome volume insofar as it contributes to an understanding of the meaning of the term and the limits of its applicability. Goldsmith and Posner are well aware that international law plays mainly a rhetorical role in international relations. Strictly speaking, there is no such thing as international law. “International law,” they write, “emerges from states acting rationally to maximize their interests, given their perceptions of the interests of other states and the distribution of state power.” Goldsmith and Posner recognize that “state” is an abstraction, and so too is the notion of “state interests.” Concretely, within every state there are certain individuals or groups, that is, intellectual elites, bureaucracies, corporations, and the military, that have a disproportionate influence on the conduct of state policy. That influence may or may not be exercised in the interest of the public good. “State interest” therefore may be merely a description of the preference of the ruling elite or of an influential group. Given that states can act irrationally because their leaders act on behalf of special interests or make mistakes, the basic question remains: can a state over time even have coherent policy, let alone firmly adhere to “international law”?

Viewing what they believe is the evidence of the last century, Goldsmith and Posner conclude that it would be naive to believe that states comply with international law for noninstrumental reasons or that they comply because compliance is the morally right or legitimate thing to do. Where compliance exists, it is the result of the coincidence of interest, cooperation, coercion, and perhaps coordination. It is wrong to assume that there is a normative component to international law or that there is a commonly recognized moral order that obliges states to act contrary to their interests. Why, then, even talk about international law, let alone refer to a nonexistent international moral order? The answer: international law insofar as it speaks to obligation can improve cooperation and coordination by clarifying what counts as cooperation and coordination just as treaties do. “More often, international legal rhetoric is used to mask or rationalize behavior driven by self-interest factors that have nothing to do with international law.” We should not be disturbed, therefore, to find states using the language of obligation while following the logic of self-interest. Such is the human condition.



The authors' position is reminiscent of that of Carneades in Hugo Grotius's *De iure belli ac pacis* (1625), wherein the fictional character argues that there is no such thing as a universal obligatory natural law "because all creatures, men as well as animals, are impelled by nature towards ends advantageous to themselves." Each man, Carneades holds, seeks his own advantage; human laws are dictated simply by consideration of expediency; they are not based upon or related to a natural law, a supposed law that simply does not exist. Grotius will argue against that position by acknowledging that man, to be sure, is an animal but that he is more than that. As rational, he is impelled by a desire for social life, a peaceful, organized, social environment in which he can achieve his full potential as a human being. The desire for social order flows from his very nature and is at once the source and *raison d'être* of law. "To this sphere of law," writes Grotius, "belong the abstaining from that which is another's [and] the obligation to fulfill promises." Grotius will speak of the great society of states and the law of nations that should govern their interests. Just as the laws of each state have in view the advantage of that state, so by mutual consent certain laws originate as between all states or a great many states that have in view the advantage, not of particular states but the great society of states. This he called the "law of nations."

The pragmatic naturalism of Goldsmith and Posner parts company with Grotius on the issue of expediency. The former acknowledge no moral obligation to act against self-interest, whereas Grotius will speak of natural justice. Although Goldsmith and Posner do not discuss claims of exploitation made by underdeveloped countries against the industrialized world or of colonies against former colonial powers, *The Limits of International Law* may be an aid in clarifying discussions of obligation at the international level.—Jude P. Dougherty, *The Catholic University of America*.

HALDANE, John, editor. *Mind, Metaphysics, and Value in the Thomistic and Analytical Traditions*. Notre Dame: University of Notre Dame Press, 2002. xi + 225 pp. Cloth, \$45.00—In this book, John Haldane has assembled essays by various authors in the effort to bridge the divide between the analytical and historical schools of philosophy. While Haldane is himself educated in the analytic tradition, he acknowledges the problems that come with pursuing philosophy in an ahistoric manner. In the introduction to this work, he frankly points out some of the shortcomings of analytical philosophy, such as its parochialism (p. ix). Haldane thus offers this book as part of a continuing effort to foster "interactions and exchanges between analytical and scholastic, but especially Aristotelian-Thomistic, philosophies" (p. x). In light of this stated intent, this book review will focus its attention on the effectiveness of those interactions and exchanges presented by this work.



Looking over the book's list of authors, the reader will find that Haldane's effort to bridge the divide between these two philosophical traditions is pursued predominantly from the side of analytical philosophy. Contributing to this work are Fergus Kerr, David Braine, Richard Cross, John Haldane, C. F. J. Martin, Stefaan E. Cuypers, Jonathan Jacobs, David S. Oderberg, Christopher Hughes, Gerard J. Hughes, Gyula Klima, and M. W. F. Stone. Their essays address a wide range of themes in the areas of epistemology, metaphysics, and human action. While the brevity required of this book review does not allow for a detailed analysis of each author's contribution, we can at least consider their writings in outline.

Kerr, Braine, Jacobs, and Haldane all offer various considerations on the philosophy of mind. The book begins with an essay by Kerr comparing Aquinas and Wittgenstein. Kerr argues that while the two philosophers might have significant differences, both would agree that *"there is no real problem about how one passes from the private to the public world"* (p. 2). Braine's essay offers a consideration of the active and potential intellect for Aquinas. While he identifies some key distinctions, however, most non-Analytic Thomists will find little here that is novel. Jacobs examines the Aristotelian-Thomistic theory of realism, effectively responding to modern antirealist arguments. Ironically, of all of the contributors to this book, it is Haldane who examines Thomas's thought the least, choosing instead to employ an analytic approach to provide a sharp critique of the epistemological theory of physicalism. He does, however, conclude his essay by advocating a philosophical return to Thomas, but he also cautions that "[w]hen one turns to Thomism, however, my own assessment is that the arguments are often poorly expressed and that they need reformulation free of the standard scholastic vocabulary and outdated analogies" (pp. 71–2).

Cross, Oderberg, Klima, Christopher Hughes, and Gerard Hughes all examine metaphysical themes. Both Cross and Oderberg address Thomas's hylomorphic theory, with Cross presenting it as a solution to the mind-body problem and Oderberg to the problem of individuation. Klima contrasts contemporary "essentialism" with Aristotle's position that things have essences, offering a detailed defense of the latter as being compatible with modern science. Gerard Hughes argues that "there is an important respect in which ontology is, and should be seen to be, prior to logic" (p. 173), maintaining that possibility is a causal notion. And Christopher Hughes examines God's knowledge of future contingents, concurring with Thomas in part, but (admittedly) differing with him in part as well.

Martin, Cuypers, and Stone examine issues of human action. Martin, employing analytic rather than historical methodology, examines the differences between voluntary and nonvoluntary causality, noting the significance of practical reasoning in human actions. Cuypers, employing a more historical approach, looks to Thomas's doctrine regarding both reason and will to provide a response to the analytic event-causal theory of human action. Finally, in Stone's essay we find another consideration of the role of reason and will in Thomas's philosophy—this time in the context of examining his natural law theory. Stone



concludes that to understand this doctrine, instead of being concerned with determining whether it is a "naturalist" moral theory, current thinkers should devote their attention to Thomas's theory of action and the intentionality it entails.

This book presents stimulating responses to contemporary philosophical issues in light of the thought of Thomas Aquinas. Nevertheless, it does not bridge the divide between the analytic and historical philosophical traditions as effectively as Haldane intends. This is in part because it is penned predominantly from the perspective of analytic philosophy. For this reason, the book as a whole does not satisfactorily provide the "interactions and exchanges between analytical and scholastic philosophies" that Haldane promises; what it tends to offer, instead, is an acknowledgment by certain analytic thinkers that Thomism has, at times, something of value to contribute to philosophy.

Moreover, while there is an effort in these essays to apply some historical methodology, this effort is lacking in certain key respects. Many of the authors refer to Thomas's writings either infrequently (offering little citation) or inadequately (neglecting key alternate passages). Most of them make little use of secondary literature, almost entirely ignoring the scholarship of non-Analytical Thomists. Consequently, at times some of them end up reinventing the wheel of Thomistic philosophy.

What results from these tendencies is the occasional confusion regarding both Aquinas's writings and his thought. As an example of the former, we may cite Oderberg's attribution of two unauthentic works to Thomas's authorship, works that he proceeds to quote at length in support of his arguments (p. 133). As an example of the latter, we may cite Cuypers's statement that Thomas employs the term *agent* "indifferently for personal, animal, and even unanimated efficient agency" (p. 107 n. 20), a term that Aquinas in fact employs analogically in each of these instances.

This book does have much to offer philosophically, and some of its essays are quite interesting, but it does not live up to its stated intent of bridging the gap between the analytic and scholastic schools of philosophy. That is largely because of its shortcomings in applying historical methodology. Nevertheless, the work will likely be of interest to Analytic Thomists and even to analytic philosophers in general, but it will likely be of less interest to nonanalytic scholars of Thomas Aquinas.—Gregory T. Doolan, *The Catholic University of America*.

HALL, Jonathan M. *Hellenicity. Between Ethnicity and Culture*. Chicago: The University of Chicago Press, 2005. 312 pp. Paper, \$29.00—Jonathan Hall's *Hellenicity* is an excellent book: thoroughly researched, cogently argued, and forcefully written. Hall lays out the scope of his study very clearly in an introductory chapter, in which he summarizes the main arguments of the book. These, briefly, are: (1) "that a subjective sense of Hellenic identity . . . emerged in Greece rather later than is normally assumed" (p. 5); and (2) "that the definitional basis of Hellenic identity



shifted from ethnic to broader cultural criteria in the course of the fifth century" (p. 7). The first argument takes up the core of the book (chaps. 2–5). After discussing definitions of ethnicity in the remainder of the first chapter, Hall turns to the thorny question of Greek origins, which he approaches both from the "internal" point of view (what the Greeks thought about their own origins) and through the lens of modern theories. The main point made in the chapter is that there was no sense of an ethnic unity in Bronze Age Greece. Chapter 3 argues that the identities of the main Greek ethnic groups emerges in the eighth and seventh centuries B.C. rather than that they are a remnant from a premigratory period. Hall even dismantles the historicity of the Dorian invasion and makes the intriguing suggestion that "Dorians" may be derived from *dōron*, Greek for "gift," whereby the Dorians would be characterized as a chosen people (p. 88). Chapter 4 persuasively opposes the common beliefs that a sense of Hellenic identity developed as a consequence of the colonizing movements in the eighth century B.C., and that a strong distinction between Greek and Barbarian, with derogatory representations of the latter, existed already in the archaic period. The next chapter discusses the developments in the use of the terms "Hellas" and "Hellenes," continues with an informative survey of the provenance of Olympic victors in the archaic period, and concludes with a compelling analysis of the role played by Thessaly, with its hegemonic ambitions, in charging the terms "Hellas" and "Hellenes" with ethnic significance. Finally, chapter 6 discusses the sharpening of the opposition Greek/Barbarians in the fifth century. In addition to arguing for a transformation, in Greek perceptions of self-identity, from ethnic to cultural, Hall emphasizes the paramount role of Athens in these developments: "Panhellenism" is an Athenian phenomenon, and one which identifies "Hellenic" values with Athenian ones. The book also includes two appendixes (on the dating of archaic Greek poets and on the historicity of Olympic victors), a bibliography, and an index.

Hall's study is so rich in sharp insights that a short review cannot do justice to them. Let me mention just a few: in chapter 5, particularly interesting are the observations that the term "Panhellenes," which replaces "Hellenes" in the seventh century, points to ethnic diversity rather than unity, as is often believed (p. 132), and that the elites played a major role in creating a sense of common ethnic identity in the archaic period (p. 164). Hall's comment in chapter 4 on the "double standards" by means of which scholars speak of "Hellenized" for non-Greek people but of "Orientalizing" for the Greeks, thus emphasizing "the active nature of Greek initiative" (p. 107), is thought-provoking. In treating a subject that lends itself to ideological bias, Hall is admirably balanced: while protesting against the "unashamed Hellenocentrism" of an approach such as the one described above, he also makes a strong case for the importance of filiation or common ancestry in perceptions of identity, thus challenging weaker, and meeker, definitions of ethnicity. One observation in this regard deserves quoting in full because of its perceptiveness and vividness: "it is not by accident that the national anthems of 'ethno-nations'—i.e. states where political boundaries are ideally (if not actually) coterminous with ethnic boundaries—are peppered with



kinship terms. So, the French anthem begins "Allons enfants de la patrie" ("Onward, children of the fatherland"), while the opening lines of the Italian anthem are "Fratelli d'Italia, l'Italia s'è desta" ("Brothers of Italy, Italy has awakened"). By contrast, those national anthems that avoid kinship references generally belong to countries such as the United States or Switzerland where statehood is not predicated on the myth of ethnic homogeneity" (pp. 15–16).

Hall's scholarship and versatility are impressive: he is at home among literary texts (including several Platonic dialogues concerned with the representation of Greek ethnic identity, which are discussed in chap. 6) as well as material artifacts; he masters the techniques of historiography as well as of anthropology, linguistics, archaeology, and epigraphy. He is well informed about modern theories but does not let them take over the discussion. The richness and depth of his knowledge are reflected in the bibliography, which extends over forty-four pages. Finally, Hall's writing style is engaging, with plenty of elegant touches such as Homeric or Shakespearean allusions in the titles ("Sailing the Wine-Dark Sea" [p. 91]; "What's in a Name?" [p. 123]). This book is a pleasure to read, and we welcome its re-edition in paperback.—Silvia Montiglio, *University of Wisconsin-Madison*.

KNUUTTILA, Simo. *Emotions in Ancient and Medieval Philosophy*. New York: Oxford University Press, 2004. viii + 341 pp. Cloth, \$95.00; paper, \$35.00—As Simo Knuuttila observes in the introduction to his new work, *Emotions in Ancient and Medieval Philosophy*, the philosophical study of emotions has gained considerable ground in the past twenty-five years or so. Scholars who have taken a historical approach to this study have focused much of their attention on classical sources, particularly those coming from the Hellenistic schools. By comparison, attention to medieval sources has suffered. Knuuttila's work is significant in that it spans both periods. It constitutes a substantial addition to the literature on classical sources, and, by examining how classical theorizing about emotions was taken up and transformed by medieval thinkers, it fills a significant gap in the literature.

Knuuttila's book is truly encyclopedic. It begins with Plato and works its way up through the fourteenth-century scholastics, treating countless figures and texts along the way. Though it examines most of what we would expect from a book on this subject, much of its material will be unknown to all but a few specialists. The eight pages devoted to Nemesius of Emesa are a case in point. Remarkably, Knuuttila appears to speak with equal authority about all of it.

The first of the book's four chapters is devoted to ancient philosophy. Its focus is Plato, Aristotle, and the Stoics, but it includes discussions of Epicureanism, Middle Platonism and Neoplatonism, and the Greek medical tradition as well. Throughout his analysis Knuuttila connects what these figures and traditions say about emotions with larger discussions of psychology generally and theories of the soul in particular. In addition, he spends considerable time on what ancient writers took the



place of emotions in the good life to be. Here debates between advocates of *metriopatheia* (moderation of emotions) and *apatheia* (elimination of emotions) get special attention.

The second chapter takes us into the world of early Christianity, examining both the Church Fathers (Clement, Origen, the Cappadocians, Augustine) and early monasticism (Evagrius, Cassian). Here Knuuttila emphasizes the influence that ancient discussions had on early Christian reflection and traces the debate over *metriopatheia* versus *apatheia* as it continued into this period. Perhaps most interesting is Knuuttila's discussion of how the Stoic doctrine of first movements (involuntary movements of the soul prior to the emotions proper) became the subject of interest among early Christians in their attempt to work out a psychology of sin and determine the extent of control we have over our emotional life.

The third chapter continues the story into the Middle Ages, with a focus on the twelfth and thirteenth centuries. The material in this chapter is diffuse. It ranges over theologians such as Anselm of Laon, spiritual writers such as Bernard of Clairveaux and the Victorines, practitioners of dialectic such as Abelard, and an array of thirteenth-century scholastics, most prominently, Aquinas. Of particular interest is Knuuttila's treatment of the increasing concern among scholastics to develop a fully systematic account of the emotions in conjunction with a complete mapping of the powers of the soul. This effort received impetus from the newly available works of Aristotle, but Knuuttila argues that its earlier impetus came from the reception of Avicenna's *al-Shifā'*, book 6, into the Latin world. Avicenna's work was especially important in this regard for its detailed elaboration of the powers of the sensitive soul. These were generally thought by the scholastics to be the locus of emotions.

The fourth and final chapter of the book wraps up the story by concentrating on the fourteenth century. Though there is some brief discussion of early Renaissance humanism, the bulk of the chapter is devoted to the scholastics: Scotus, Ockham, Buridan, Wodeham, and others. What Knuuttila is most interested in here is the impact of voluntarism on thinking about the emotions in this period. As he sees it, the decisive innovation, beginning with Scotus, is the locating of emotions in the rational appetite—the will—as well as in the appetitive powers of the sensitive soul. This, Knuuttila demonstrates, opened up important new questions about the relation of cognitive and affective states and caused scholastic theorizing about emotions to drift ever further from its basis in Aristotle.

Knuuttila's book is certainly a must read for anyone interested in the history of thinking about emotions. It should also prove valuable to scholars of ancient and medieval philosophy generally. It is well researched, highly informative, and thorough in its presentation—an impressive work of scholarship by any measure. What it lacks, however, is an overarching thesis or argument that unifies and brings the material to life. There is a lot of *figure x said A while figure y said B* and not enough about why what these figures said is important or interesting. Knuuttila likely thinks that the material speaks for itself, but he could do more to draw the reader in. Even so, the book will stand as one of the authoritative guides to this material for years to come.—Blake Dutton, Loyola University Chicago.



MATTHEN, Mohan. *Seeing, Doing, and Knowing: A Philosophical Theory of Sense Perception*. Oxford: Clarendon Press, 2005. xxii + 362 pp. Cloth, \$74.00—In this volume, Matthen presents a “new philosophy of vision,” and of sensory consciousness in general, as an alternative to the “classical” theory, which maintains that “conscious *sensation* is a passive record of energy patterns incident on sensory receptors” (p. 13). In the case of vision, the classical theory holds that the stimulation of receptors in the retina produces an “image,” described by David Lewis as a “color mosaic” (p. 56), corresponding as a point-by-point pictorial map to the environmental stimuli (pp. 2, 54). This visual image is then made available to consciousness, which imposes concepts on this “raw sensation” to produce “*perceptions* of objects and their properties” (p. 13). Sensory consciousness thus has two stages: passive awareness of a two-dimensional field in which environmental stimuli are reflected but not differentiated; and the activity of the mind in identifying and conceptualizing objects within this field. Matthen identifies this theory as the dominant paradigm of sensory consciousness among philosophers from Descartes until the late twentieth century (pp. 1–3, 36–54).

Drawing upon recent empirical research into sensory processing, Matthen argues instead that vision operates at two levels: pre-consciously, in guiding bodily movements; and consciously, in the “descriptive” activities of recognition and memory that we share with other animals, though they also underlie human cognition (pp. 325–7). At the conscious level, a sensory system operates as an “automatic sorting machine” by classifying objects according to similarities that it notices among their features (p. 8). Sensory consciousness thus always already involves mental activity. More specifically, in the case of vision, we are never aware of an undifferentiated color mosaic; instead, visual consciousness notices features, ascribes them to objects, and locates these objects in space (pp. 271–82).

Matthen draws two further conclusions from recent studies of sensory processing. First, he argues that different types of sentient organisms have evolved to recognize and coclassify different features, as a result of their specific interests and activities within a given environment. Second, he argues that the primary referents of visual consciousness are material objects, rather than sensations or locations. He combines these two claims in his defense of “Pluralistic Realism,” or the thesis that sensory consciousness is of real objects, which are however perceived differently by different types of organisms (p. 207).

I will not attempt to examine Matthen’s use of contemporary empirical research for his analysis of sensory perception, since I was eager to learn from him in this regard. However, Matthen’s treatment of the “classical” theory invites a friendly dialogue with historians of modern philosophy. From my perspective, Matthen overlooks a number of relevant passages in two authors cited in his study, Hume and Kant. While Hume may indeed hold that the visual field can be analyzed into minimum visual points, he is not committed to the view that we are ever directly conscious of a two-dimensional color mosaic. Instead, Hume indicates that we are ordinarily aware of impressions in complex combinations, that we are disposed to notice similarities, and that this disposition is the basis both for our ability to formulate ideas of types



and qualities, and also for our recognition of the patterns of constancy and coherence that leads the imagination to assign qualities to enduring external objects. For his part, Kant never claims that we are conscious of a sensory mosaic apart from the forms of intuition and the activity of the mind. Instead, he argues the manifold of intuition is always already given to human consciousness both as organized in space and as synthesized by the imagination, which is directed by the categories in its representation of objects.

Interestingly enough, Matthen himself often slips into locutions which seem to assume the awareness of a sensory field prior to any processing. Thus, for example, he asserts that sensory systems "discard information" that is not immediately relevant to their interest in a specific classification (p. 52; compare pp. 44–54, 61).

Perhaps we can find clearer common ground between Matthen and these authors by distinguishing three levels of awareness in visual perception. The first level is preconscious awareness, which is not preserved in memory but guides bodily motion and also provides a sensory field for the next stage of visual awareness. This second stage is the conscious level of attention and synthesis, in which we actively notice features and combine these as representations of objects. The third is the level of conceptualization, or what Matthen calls the "labeling" of features and objects according to their resemblances, which facilitates recognition, memory, and expectation. Unfortunately, but intriguingly, while Matthen attributes sensory "labeling" to animal consciousness in general, he does not develop his brief suggestion that this labeling may be both compared and contrasted to linguistic labeling and the distinctive operations of human cognition (pp. 24, 146–7, 241–3, 249). This would be a welcome theme for a further study.—Claudia M. Schmidt, *Marquette University*.

MCGRADE, A. S. *The Cambridge Companion to Medieval Philosophy*. Cambridge: Cambridge University Press, 2003. xviii + 405 pp. Cloth, \$45.00; paper, £17.95—In this excellent overview, Professor McGrade has made available a handy introduction to the study of medieval philosophy. The book's chapters are each devoted to a thematic area of medieval philosophy, including Islamic philosophy, Jewish philosophy, metaphysics, the problem of universals, and the presence of medieval philosophy in the subsequent history of philosophy. Furthermore, each of the book's chapters is written by a specialist in the area treated, and the experts contributing to this volume are among the most outstanding in their fields. Professor McGrade is to be commended on bringing together such a fine group of scholars and marshalling their contributions to such good effect.

In his introduction to the volume, McGrade deftly and briefly presents the reasons why so many contemporaries are taking a new (or, in some cases, renewed) interest in medieval philosophy: many of the medieval



discussions do not simply parallel issues treated in contemporary philosophy, but also cast a new light on their possible resolution. The contemporary discussion of universals, for example, can and does profit by the careful study of medieval treatment of the problem of universals. Nor, as McGrade notes, is the case of universals unique in this regard: contemporary ethical theory, interested as it is in virtue ethics and natural law, has much to learn from medieval discussions of the virtues and the foundations of moral obligation. In a word, medieval philosophy is presented here, as McGrade writes in the closing words of the introduction, "as a potentially liberating resource for the reader's own pursuit of wisdom, wherever that pursuit may lead."

The book's chapters are, in general, extremely well done, yet some are worthy of special mention even among such fine examples. Professor Steven Marrone's historical sketch of the background to medieval philosophy, the social and institutional setting for its development, and the genres of its literary expression is simply outstanding. Similarly outstanding are Professor Ashworth's discussion of medieval logic and the medieval treatment of the philosophy of language, Professor Druart's overview of philosophy in Islam, Dr. Klima's study of universals, Professor Sylla's discussion of natural philosophy, and Professor Kent's account of medieval moral philosophy. One would be hard pressed to find anywhere else systematic accounts of these themes that more clearly and concisely presented their subjects. This is not to say that the chapters not mentioned just now are not worthy and well done, but limitations of space do not allow for more detailed discussion.

In addition to the fine studies found in the chapters, the volume has valuable resources among its back matter. There is a useful chronological table, a set of biographies of important medieval philosophers, and a carefully articulated bibliography, running to 653 items. The beginning student of medieval thought will find these materials especially helpful for commencing research into the field.—Timothy B. Noone, *The Catholic University of America*.

MCGRATH, Alister E. *The Science of God: An Introduction to Scientific Theology*. Grand Rapids: William B. Eerdmans Publishing Company, 2004. xiv + 271 pp. Paper, \$25.00—Intended as an introduction to his three-volume *A Scientific Theology* (Eerdmans, 2001–2003), this new book from the prolific, evangelical, Oxford theologian sketches an approach to theological method that McGrath has been developing for two decades. The adjective in the title, "scientific," captures at least three important aspects of McGrath's approach. In the first place, McGrath maintains that Christian theology is, indeed, a science in the broad sense of the term. It is "a distinct legitimate intellectual discipline in its own right, with its own sense of identity and purpose" (p. ix).

A second feature of McGrath's project, aptly described as "scientific," constitutes part of his defense of theology as a "legitimate intellectual discipline." One of the ways McGrath defends the intellectual integrity of theology is by showing that there are strong parallels between the



way claims are justified and theories developed within the sciences and within Christian theology. The natural sciences are thus, for McGrath, a "comparator and helpmate for the theological task" (p. 12).

Finally, McGrath's approach may be called "scientific" by virtue of engaging the sciences from the resources provided by the Christian tradition. The sciences are not only a helpmate for theology; theology itself can help illuminate and make sense of certain aspects of the scientific enterprise. The Christian doctrine of creation, for instance, makes sense of the apparent presupposition of the sciences that the natural world has an intelligible order, an order that can be apprehended by the human mind (p. 113).

The bulk of *The Science of God* is divided into three parts: "nature," "reality," and "theory," named for the subtitles of the three volumes of McGrath's trilogy. In "nature," McGrath argues that once the theologian has abandoned the untenable Enlightenment view that nature admits of only one interpretation, he will be free to deploy the Christian interpretation of nature as creation toward the resolution of various problems in philosophy and science. Included is a disappointing discussion of natural theology, where McGrath, conceding far too much to Barth, insists that natural theology "must begin from premises which are founded on revelation" (p. 74). He also makes the patently false, if not unprecedented, assertion that the project of offering arguments for and about God apart from revelation is a recent invention of the seventeenth and eighteenth centuries.

In "reality," McGrath rejects the Enlightenment belief in "universal" human reason, while at the same time rejecting the postmodern view that sees reality as a social construction. Seeking a middle between these extremes, McGrath favors a tradition-mediated conception of reason of the sort developed by Alasdair MacIntyre, while embracing the critical realism of philosopher of science, Roy Bhaskar. McGrath offers extensive criticism of George Lindbeck for his coherentist approach to doctrine, which sees doctrine not as making truth claims about an independent reality but as serving only to regulate the language and practice of the Christian community. While more sympathetic with John Milbank, McGrath has criticisms for this contemporary theologian as well, especially for his failure to engage and draw from ideas outside the Christian tradition.

In "theory," McGrath offers a sensible defense of doctrinal Christianity against certain anxieties, such as that doctrine forestalls an authentic engagement with the realities to which it refers. According to McGrath, "an 'undogmatic' Christianity is only a possibility . . . if the Church ceases to regard itself as having anything distinctive to say to the world around it" (p. 191). McGrath defines doctrine as "a theory which is an accepted teaching of the Church" (p. 177), and as a "communally authoritative teaching regarded as essential to the identity of the Christian community" (p. 178). These definitions leave the reader wondering what McGrath means by "the Church," and who has the authority to determine what is essential to the identity of the community. It might be thought that McGrath need not address these questions in a book of this sort. Yet their relevance reemerges when McGrath suggests that the key to ecumenical rapprochement is the recognition that certain doctrines have functioned historically as "social demarcators between ecclesial traditions" (p. 193), and that, without necessarily denying the truth of these doctrines, their demarcating function can be "declared to be no longer valid" (p. 193).



*The Science of God* touches on a great many topics, and it is difficult to identify two or three theses that unify the book as a whole. Theologians will likely find McGrath's work most interesting as an alternative to the approaches taken by prominent Protestant theologians such as Lindbeck and Milbank. Philosophers will find McGrath's book a useful source of examples, drawn from a variety of disciplines, of the way in which rational enquiry proceeds within and between traditions.—W. Matthews Grant, *University of St. Thomas*.

NATOLI, Charles. *On the Fire in the Dark: Essays on Pascal's Pensées and Provinciales*. Rochester Studies in Philosophy. Rochester: Rochester University Press, 2005. xxxii + 145 pp. Cloth, \$75.00.—"Ich Pascal nicht lese," said Nietzsche, "sondern liebe." Yet Pascal found it hard to love himself.

The question that animates this inquiry and its investigation of Pascal, both his *Provinciales* and his *Pensées*, is whether the hidden God can also be just. Why does He give so little evidence of Himself and permit so much evil? Would a just God hide Himself? Indeed, what of His harsh words and deeds of the unhidden God in the Old Testament, which preachers seldom take as texts? Men are forbidden to do a small evil for a great good, but is God? To be sure, He exposed Himself as His Son, but did He not thereby also hide Himself? Is that just? And what of the consequences? What of the virtuous pagans born before His Son? What of the unbaptized before and after? And what of all the innocent children? Was He even just to His own child, His Son? Why did He give Pilate the power to let judicial murder proceed, and why did He hide from His forsaken Son in the Garden? Such questions are a puzzle to the intellect and a dread to the heart.

Subordinate, as the *Provinciales* are subordinate to the *Pensées*, for a negative exposure is always subordinate to a positive apology, is the question: how good does one have to be to be good, or more exactly (and dreadfully), how good does one have to be to be saved, good on one's own or good through grace, or if both, how much of each? While conceding that in the *Provinciales* Pascal convicts the Jesuits of grave laxities, Natoli doubts that the exposure is fair to casuistry, recognizes the virtue of prudence, or converts the reader to the severities of Jansenism. That task would have been advanced, perhaps even achieved, in the apology that the incomplete *Pensées* are the noble remains of.

Running through Pascal and *Fire in the Dark* is the question, characteristic of philosophy and momentous to the unbeliever: what would constitute proof not just of the god of the philosophers, even of God the Creator, but proof of God the Father and Judge who sent his Son to redeem us? And toward the end of his inquiry, Natoli adds the question: why is there so little room in the proofs in the apologetic *Pensées* for such a fiery yet joyous revelation as Pascal experienced on the night of 23 November 1654? (Perhaps because, as Hamlet knows, however fiery one's own revelation be, it is but "words, words, words" to all others.)



How does Natoli see Pascal answering these questions? And how does Natoli answer them? Not only is this the kind of closely reasoned book that requires rereading, even after rereading and discovering the author's position, it would do potential readers no service to impart a summary.

Except for the weasel word "arguably," the writing is lean and telling, with graceful turns, figures (especially chiasmuses), coinages such as "mischancy," and terse allusions that enrich the whole inquiry. One demerit must be recorded; in reminding us of those who have asserted *extra ecclesiam nulla salus* and in wiggling on Father Feeney's excommunication for asserting such, the author seems to forget Justin Martyr's "logos spermatikos," Pope Pious IX's recognition that the "invincibly ignorant" cannot be damned (*Singulari Quaedam*, 1854), and subsequent clarifications on through Vatican II. The man who says "le moi est haïssable" might find it hard to acknowledge *deus caritas est*.

The seriousness with which Charles Natoli poses, investigates, and most probably lives the question of the justice of the hidden and judging God makes this book at once an excellent example of scholarship and of philosophy, thus an address to the circle of Pascal scholars (Mesnard, Sellier, and so forth, who have brought us closer to the most probable order of the *Pensées*) but also to any other serious reader. In this book what was once known as the Republic of Letters survives, for its living citizens wherever they are scattered and for its dead citizens, resident in Hades (as Natoli's epigraph from Nietzsche suggests), gathered on the Blessed Isles as Socrates used to say, or united in heaven.

Natoli has indeed spent time with the great dead. His learning draws from a wide circle, including Leibniz, Parkman, Voltaire, Montaigne, Bunyan, Seneca, Unamuno, Bayle, Twain, and Virgil. The points and passages selected are not only pertinent but choice because they come from thorough reading of wholes. One pictures Natoli in a small room, such a one as Pascal said all our troubles come down to not sitting still in, with all the Loeb's, all the Pléiades, all the Library of Americas, all the editions. His conversation with living scholars is placed in the footnotes (whose font size fatigues the old).

Select as the bibliography and helpful as the notes that guide the non-scholarly reader to the best scholarship are, I would have liked to have seen Romano Guardini's book on Pascal, Simone Weil's penetrating thoughts on how only the hidden God can be just, and Shakespeare's *King Lear* added for their illumination of the dark and solitary Pascalian territory they also explored. Perhaps in a second edition, the author might also consider Dostoevsky's *Brothers Karamazov*.—Michael Platt, *George Wythe College and Universität Greifswald*.

POPKIN, Jeremy D. *History, Historians, & Autobiography*. Chicago: The University of Chicago Press, 2005. x + 339 pp. Cloth, \$35.00—Historian Jeremy D. Popkin takes a busman's holiday in this study of the relation-



ship between autobiographical writing by historians and the discipline of academic history. In the broadest sense the book seeks to understand the nature of history and its connection to individual experience and "the experience of living in time" (p. 15). Popkin, a historicist, regards these questions as matter for historical rather than philosophical investigation. Nevertheless, philosophical thinking interjects itself into his account of historians' autobiographical writing.

Regarding their discipline as a form of objective scientific knowledge, academic historians from the outset dismissed autobiography as an inherently subjective and unreliable body of evidence. In the late twentieth century, however, the idea of objectivity exhausted its intellectual appeal and subjectivity came into scholarly favor. Literary theorists embraced personal life writing as a legitimate literary genre. Historians for their part learned to appreciate the power of autobiography "to describe the experience of the past from the inside," in its emotional dimension (p. 24). What historians struggled to achieve through rigorous methodological protocol, Popkin observes, the autobiographer accomplished "by inherent right" (pp. 23-4).

The philosophical inspiration behind this historical revelation was Wilhelm Dilthey. Dilthey taught that autobiography is "a genuine source of knowledge" and "the highest form of insight into human experience" (p. 18). Moreover, subjective individual experience "makes historical insight possible" and forms "the basis of all historical understanding" (p. 18). Although few historians became outright apostles of subjectivity in historical methodology, in the 1970s a significant cohort of the profession in effect adopted a Diltheyan approach. Social and cultural historians in particular advocated "history from below" based on autobiographical materials that would give voice to the feelings and prejudices of oppressed groups (p. 19). Distinguishing history from memory, scholars treated the autobiographical productions of ordinary people as valid historical evidence.

Philosophy is further implicated in Popkin's analysis of controversy over narrative theory, the intellectual horizon in which history and autobiography seek to explain the experience of living in time. In the 1970s, historian Hayden White questioned the epistemological distinction between history and fiction. White claimed that history, like all narrative writing, imposes on real world experience the formal coherence associated with fiction. Philosopher Paul Ricoeur challenged White by claiming that the specificity of historical writing gives it "an air of realism" that fictional narrative does not possess (p. 39). David Carr, a phenomenologist, in turn challenged both White and Ricoeur by arguing that human experience "actually has built into it a narrative structure" (p. 51). In Carr's view, historical and fictional narrative "reveal themselves to be not distortions of, denials of, or escapes from reality, but extensions and configurations of its primary features" (p. 51).

Popkin recognizes the "phenomenological insight" that all higher-level forms of knowledge are ultimately rooted in ordinary experience. To this limited extent his analysis might be said to acknowledge the possibility that philosophical realism, properly understood in relation to phenomenology, is relevant to a true understanding of human experience and action. Mainly concerned with the relationship of history and



autobiography, Popkin leaves open the question whether narrative, as a basic preliterate experience of human beings, is "rooted in reality itself" or is "a fundamental aspect of human culture" (p. 55). Perhaps significantly, Popkin observes that although historians may not be acquainted with the philosophical arguments that frame the debate over narrative, they "instinctively" hold to the traditional distinction between history and fiction (p. 55).

The substance of the book presents Popkin's findings based on exhaustive and particularistic study of historians' first-person narratives. There are chapters on Edward Gibbon and Henry Adams, the greatest historian-autobiographers; the choice of history as a vocation; historians' involvement in, and keen sense of personal insignificance in relation to, world historical events of their time; and the Holocaust, the event that more than any other stimulated autobiographical reflection among historians.

Popkin concludes that historians' recent excursion into autobiography constitutes "an ambiguous supplement" to history and autobiography. While historians have made a serious contribution to autobiography, their involvement in the ambivalent and inherently unstable field of personal narrative does not signal "a radically new age of historical consciousness" (p. 279). "To date, at least," Popkin observes with apparent satisfaction, "no historian has written an autobiography for the purpose of arguing that historical truth cannot be found or does not exist" (p. 279).—Herman Belz, *University of Maryland*.

REISCH, George A. *How the Cold War Transformed Philosophy of Science: To the Icy Slopes of Logic*. Cambridge: Cambridge University Press, 2005. xiv + 418 pp. Cloth, \$70.00; paper, \$26.99—A certain narrative dissonance attends the history of logical positivism. That history begins in the cafes of old Vienna with earnest intellectuals absorbed in the task of inaugurating a new scientific way of philosophizing in response to social and political problems. It ends in the modern classrooms of mid-twentieth-century American universities with the exposition of highly formalized systems of logic quite detached from social and political concerns. How did logical positivism get from smoky Viennese cafes to, as author George Reisch puts it, the icy slopes of logic? What sequence of events brought logical positivism from the socially functional isotypes of Otto Neurath to the formal semantics of Rudolf Carnap? According to this engaging study, the answers to such questions are to be found in the *inter bella* rise of the Unity of Science movement and its subsequent demise during the Cold War.

Essentially, this book attempts to correct a conventional picture of logical positivism and its aims. Taking such works as Rudolf Carnap's *Der Logische Aufbau der Welt* (1969) as representative, many have understood logical positivists as solely or primarily concerned with epistemology. Indeed, the movement remains today associated with a



philosophy of science focused on verificationism, inductivism, phenomenism, formalism, and the rejection of metaphysics. As such, it is generally considered undermined by Thomas Kuhn's account of scientific revolutions and his general emphasis on the history of scientific practice. While this conventional picture may represent the final form of logical positivism in the postwar period, Reisch argues that it fails to capture the cultural and social ambitions of the movement's founders. These ambitions were embodied in the Unity of Science movement and its best known project the *International Encyclopedia of Unified Science*. Conceived by Otto Neurath and championed in the United States by Charles Morris, the *Encyclopedia* was intended to develop a unified scientific language and methodology in an effort to demonstrate how science forms a unified whole. The purpose of this was not simply to provide epistemological foundations for the sciences, but also to ground political and social values in a new scientific philosophy unencumbered by metaphysics. Due to the political pressures on American universities during the Cold War, this project was later shorn of its larger cultural and social aspects and reduced to a politically and socially neutral formal epistemology.

Much of the evidence in support of this thesis revolves around the history of logical positivism in the United States. The wave of émigré philosophers who, fleeing European fascism, came to American shores beginning around 1935, brought with them the program and ambitions of the original Vienna Circle. This program and these ambitions included not only the reduction of philosophy to the foundations of empirical science, but also a social and political engagement grounded in this new conception of philosophy. The public and pedagogical voice of this new philosophical movement was Neurath's *Encyclopedia*. Thanks to the efforts of Charles Morris, the project found a home at the University of Chicago and, through it, the Unity of Science movement soon became a major player in American philosophical debates of mid-century. Making substantial use of largely unpublished archival sources, Reisch traces the history of these debates in some detail, documenting the acceptance and rejection of the scientifically grounded social and political program of the Unity of Science movement.

Among those whose reaction was unambiguously negative were neo-Thomists such as Mortimer Adler and University of Chicago President Robert Maynard Hutchins. On the basis of published material as well as unpublished correspondence, Reisch presents Hutchins's *Great Books of the Western World* project as an educational and cultural program competing with the *Encyclopedia*, providing a picture of the Unity of Science movement as a general educational movement with clear political and cultural implications. Indeed, both Adler and Hutchins were concerned that the "scientistic" social program promoted by the Unity of Science movement would lead to cultural disaster. Thus Reisch makes it clear that the neo-Thomists not only rejected the antimetaphysical and reductionist philosophy of the logical positivists, but also viewed the Unity of Science movement as an opposing social philosophy.



Such is also evident in the way New York leftist philosophers, such as Sidney Hook, rushed to the defense of the Unity of Science movement. He argued that it was the neo-Thomists, not the logical positivists, who were abdicating their cultural and social responsibilities as philosophers. Clearly, socially and politically engaged American leftist philosophers understood the broader cultural implications of the Unity of Science movement and associated them with their own Marxism and pragmatism. Yet, as Reisch demonstrates, the Unity of Science movement was not uniformly well received on the left. In particular, the wholesale rejection of metaphysical realism by Otto Neurath and his colleagues disturbed many New York Marxists.

Nonetheless, the debates of the 1930s, according to Reisch, established the Unity of Science movement as generally leftist-oriented in its social and political philosophy. This contributed to the demise of the movement and a significant reorientation of logical positivism in general. The iconoclastic and reformist social views of the Vienna Circle that played such a large role in American intellectual life before the War began to work against the Unity of Science movement in the postwar period. The new relationship of government and universities and the anti-communist atmosphere of the 1950s prompted many logical positivists to abandon the social and cultural ambitions of the movement and focus exclusively on the formal foundations of science, so seeking safety on the icy slopes of logic.

Marshalling an impressive amount of understudied archival sources, Reisch presents a fascinating picture of the Unity of Science movement in the context of its larger social goals. He also argues a plausible historical thesis regarding its Cold War demise, thereby explaining how a culturally disengaged formalism could arise out of a passionate program of social and educational reform. Reisch's archival spadework is a significant contribution to the history of philosophy, making possible a richer appreciation of the legacy of the Vienna Circle.—Michael W. Tkacz, *Gonzaga University*.

RICHARDSON, John. *Nietzsche's New Darwinism*. New York: Oxford University Press, 2004. xxii + 288 pp. Cloth, \$60.00—The title of John Richardson's second book on Nietzsche neatly summarizes its thesis: Nietzsche's philosophy is Darwinian, but Nietzsche takes Darwinian explanatory principles further than Darwin and the Darwinians ever did, applying them effectively to the history of human culture and making them the basis for the choice of an evolutionary step into a new future. The title is fittingly defiant as befits the author of *Nietzsche's System*, a book that defied the scholarly consensus that held Nietzsche to be irremediably aphoristic or fragmented in his writings as in his thinking; it demonstrated the contrary, the deeply systemic character of Nietzsche's thought, its coherent and unified perspective rooted in ontology, of all things. The title of the new book defies the scholarly consensus that Nietzsche was fundamentally a critic of Darwin and Darwinism; it demonstrates that Nietzsche's frequent criticisms of them are mostly apt



while obscuring Nietzsche's fundamental embrace of Darwinian principles. Richardson claims that only by recognizing Nietzsche's basic Darwinism can one appreciate the true character of Nietzsche's analysis of the human past and his advocacy of a new future—both based on an understanding of selection.

Richardson's book-long argument is that there are three levels or aspects to Nietzsche's Darwinism. First and most basic is his "power biology," a naturalism that embraces the principle of natural selection of randomly generated variety but takes increase/growth/power rather than survival to be the structural principle active in selection. Here Richardson retracts the will to power ontology he took to be basic in *Nietzsche's System*, seeing it now only as one of Nietzsche's "moods." His reason for repudiating it is odd: he thinks it is inextricably bound to a mentalism, to "reading mind into all things," an interpretation of will in Nietzsche that strikes me as inappropriate and unnecessary.

Second and most important for Richardson's argument is "social selection," Nietzsche's primary advance beyond traditional Darwinism. Via the genealogies that are his chief contribution to the science of human history, Nietzsche came to recognize that human social history exhibits a "different logic" from natural selection: whereas natural selection selects behavior to preserve/increase the lineage, social selection selects to serve the group, propagating and replicating behavioral dispositions that give the group cohesion and shelter. Social selection does not proceed via genes but via memory, consciousness, and language, which ensure the mimetic copying and memetic remembering of group practice. Here lie the roots of custom and morality, of behaviors that to an extent work against natural selection to tame and domesticate. Natural and social history can therefore conflict, producing the condition that makes humans unique among animals: a deep-running sickness infecting the species generally.

Third, and dependent on Nietzsche's singular insight into human history, is what Richardson calls "self-selection." This is Nietzsche's revaluation of the values of custom and morality and his challenge freely to choose new values for oneself and the species. Because the changes selected on the basis of revaluation stem from genuine insight, they are free, unlike natural and social selection; they are also reasonable, given the more adequate understanding of our natural and social history. Richardson is particularly effective in showing how Nietzsche's affirmative program is grounded in insight and argument—a tribute to Nietzsche's system. Richardson does not shy away from showing how "hardness and selfishness" can reasonably be chosen over pity and altruism, or "breeding and rank order" over taming and equality, and how those choices represent genuine progress into health for the sick species.

Despite these strengths, I think it is fair to say that most readers will find the book forbidding in the stolid sobriety of its prose, the relentless repetition of "I will say," "I am saying," "I have said," the annoying devices of abbreviation and numbering, the disembodied proof texts lifted out of Nietzsche's books and running along the foot of the pages as if it didn't matter where they came from, as if Nietzsche's books were not artfully composed wholes beginning where we are and ending where he is. The Nietzsche pinned to these pages is leached of music and color, robbed of body parts, presented as if there were no dance, levity, or *presto* in his books, no drama, no fun.

Nevertheless, beyond such aesthetic judgments (and Richardson holds that what *tastes* good is good provided *taste* is understood in its



full Nietzschean sense) lies a Nietzsche of comprehensive synthetic power whose thought about the world recovers the world, and whose writings share that recovery by attempting to fashion an audience that is up to it and ultimately grateful for it. Richardson recognizes in Nietzsche a genuine philosopher whose creation of values aims to create out of the global human collective already generated by an unconscious natural and social history a human community that understands its true genealogy and is bent on living in accord with it.—Laurence Lampert, *Indiana University Indianapolis*.

ROSSI, Philip J. *The Social Authority of Reason: Kant's Critique, Radical Evil, and the Destiny of Humankind*. Albany: State University of New York Press. xiii + 204 pp. Cloth, \$60.00; paper, \$19.95—Rossi's book offers us an interesting and novel attempt to work out the larger social/cultural implications of Kant's critical project. Rather than focusing exclusively on the epistemological or metaphysical aspects of Kant's thought, Rossi takes a more holistic approach by relating Kant's critical project to the larger problem of radical evil. The goal of the book is largely threefold. First, Rossi wants to demonstrate the social character of radical evil, seeing it in relation to Kant's critical philosophy as a whole. Second, Rossi wants to show us in what sense the prospect of globalization exacerbates the problem of radical evil. Third, Rossi wants us to consider the success of Kant's proposal, which Rossi admits is partial at best, by reflecting on where Kant's account of our collective moral destiny falls short, as well as where it continues to inspire and motivate us. The Kant that emerges is a long way from the traditional formalist interpretation, but Rossi shows a thinker deeply interested in the public use of reason and our "shared intent to social union," which Kant sees as our highest good (p. 9).

Rossi's book begins by putting forward the case for reevaluating the Kantian project, with chapters 2 and 3 indicating how Kant's project of critique finds its natural terminus in the construction of a genuine "ethical commonwealth." In order to show the social import of human reason, and thus "that the critical project has a fundamentally moral trajectory" (p. 19), Rossi takes up important arguments first raised in Kant's three *Critiques* and connects these with similar arguments in the *Groundwork of the Metaphysics of Morals* and *Religion within the Boundaries of Mere Reason*. As Rossi sees it, Kant's account of autonomy becomes increasingly more social in character as his thought progresses, which the central role of radical evil makes explicit for the first time in the *Religion* text. Much of Rossi's account seeks to explain the essentially social character of radical evil, which Kant defines as "unsociable sociability," demonstrating in the process not only the contemporary relevancy of Kant's interpretation for appreciating the dangers posed by globalization, but also the central role the notion of radical evil plays in Kant's critical project as a whole.



Chapters 4 and 5 continue to explore the larger consequences of radical evil for society. As Rossi contends, what makes *Religion* such a crucial text in this regard is that it reveals a major development in the aim of Kant's critical project, making explicit how radical evil poses the greatest risk to the fulfillment of our proper moral destiny. Rossi uses this idea of radical evil as a foil for interpreting Kant's later essays on history and politics, contending that although these later works are central for appreciating the complexity of Kant's position, they can only be properly appreciated against the problem of the recalcitrance of evil. The issue, so Rossi stipulates, is that only the rational "intent to social union" can overcome radical evil, and only the work on *Religion* makes this explicit. What is required is a cosmopolitan sense of hope whose full embodiment lies with the church, wherein individuals are given the opportunity to take up the end of establishing an ethical commonwealth as their own unique vocation.

Chapters 6 and 7 conclude by examining the missing elements of Kant's account. For Rossi, the rise of globalization looks to the heart of the dilemma of radical evil, exacerbating the "unsociable sociability" that is the hallmark of radical evil. The greatest problem with Kant's account of radical evil is that it offers only guidelines for defusing its radical challenge and virtually no concrete advice on how to defeat it. What we are left with is the hope that the "*noncoercive* exercise of the *social authority of reason*" (p. 132) might be taken up as a global paradigm of action. How this translates at the level of global institutions and concrete social practices is something Kant leaves unexplored.

Rossi's book is ambitious and timely. It represents a new understanding of Kant that seeks to break new ground. In pursuing this approach, however, the main argument of the book seems rushed at times. Not enough attention is paid to the difficulties surrounding Kant's account of the church, or the confusing "social status" of the *summum bonum*, and the book gets repetitive at times. In assessing the work as a whole, I feel it would have achieved its goals more effectively if Rossi would have focused more exclusively on the elusiveness of radical evil at the ontological level, rather than filling in the gaps in Kant's account of how to overcome it.—Jason Howard, *Viterbo University*.

ROUSSEAU, Jean-Jacques. *Letter to D'Alembert and Writings for the Theater*. The Collected Writings of Rousseau, Vol. 10. Edited and translated by Allan Bloom, Charles Butterworth, and Christopher Kelly. Hanover: Dartmouth College Press, 2004. xxviii + 406 pp. Cloth \$70.00—This volume is the tenth of the estimable edition of Rousseau's collected writings in English edited by Roger Masters and Christopher Kelly. It is a well known scandal in the English speaking philosophical world that, for many major European philosophers, there have not been well-edited, well-translated, comprehensive collections of their philosophical writings in English. This Rousseau edition, which is proceeding splendidly, with a few volumes yet to come, seems to be a useful model for



this enterprise. The editors have chosen to organize this edition topically rather than chronologically, which means that individual volumes can stand alone as usefully organized collections of Rousseau's work in a particular area. The editorial notes, though not as extensive as those in the French edition of Rousseau's collected works, are both very helpful and unobtrusive.

This volume brings together both Rousseau's work for the theater and most of his writings on the theater. (The exceptions are two brief essays which appear in earlier volumes.) I believe that this conjunction is useful, even though the texts of his eleven operas, plays, and ballets seem to this reader to be as interesting as theatrical literature as Nietzsche's compositions are interesting as music. These texts belong not to the history of the theater but to the history of Rousseau, but, of course, *that* history is truly fascinating. When we read Rousseau's critique of the theater (*spectacle*) in the *Letter to D'Alembert*, it is useful to be reminded that he was intimately involved with *spectacle* (musical and dramatic) all of his adult life. Like Plato, the thinker who most influenced his thought on the effects of literature, he writes from within a lifetime of creative literary work. Nonetheless, when one reads, for example, the libretto of *The Village Soothsayer*, the editors' statement that this work "had an astonishing success and became the most popular French opera of the eighteenth century" (p. xx) boggles the mind. No matter how splendid the music might have been, it is difficult to imagine what the attraction of this brief bit of silliness could have been. Christopher Kelly has obviously worked hard at these translations (not attempting to preserve the meter and rhyme of the verse) and deserves our gratitude for making this work available. Perhaps a theater person might see some way in which these texts might live again on the stage, but I doubt it.

Obviously, for philosophers the main object of interest in this volume is the *Letter to D'Alembert* along with the supplementary correspondence that it provoked. The translation used here is that of Allan Bloom, published originally by the Free Press in 1960. The editors have changed only a few words in order to conform to the practice of this collected edition; the most significant of these is the translation of *moeurs* as "morals" rather than "morals [manners]" or "manner [morals]." In this and a few other cases, they have followed Bloom's own later practice in his translation of *Emile*. Still, one can understand his earlier decision in the original translation since *moeurs* does have a broader connotation in French than "morals" in English. This edition prefaces the letter with a complete translation of D'Alembert's article on Geneva from the *Encyclopedie* (the article that provoked Rousseau's response). The letter is then followed by some additional correspondence that it, in turn, provoked.

As for the *Letter to D'Alembert* itself, it is, along with the two discourses and *The Social Contract*, a central text in Rousseau's political philosophy. It is written with that brilliant mixture of genius, paranoia, and self-pity that characterizes Rousseau's more autobiographical work. Its personal quality makes it an especially valuable supplement to his other works on political philosophy. Here Rousseau writes proudly as a



"Citizen of Geneva" (in pointed contrast to D'Alembert, who is flagellated on the title page by a list of his membership in six learned societies). Hence, Rousseau must work out an elaborate characterization of the morals and manners of Geneva in order to make his argument against D'Alembert's proposal for a theater at Geneva. (The proposal itself was thought, both then and now, to have been inspired by Voltaire—another reason why this work is seen as Rousseau's decisive break from the French Enlightenment.) His argument is not for a general censorship; indeed, he concedes that a theater in Paris might serve a useful purpose in a generally corrupt society. But, since Geneva is being used as an exemplar of good manners and morals, he focuses his argument on the ways in which a theater might damage that society. This requires much reflection of the nature of society and virtue, as well as a good deal of literary criticism. Rousseau's work belongs on the very short list of the most important reflections on the nature, function, and value of literature ever produced by a philosopher. Certainly every respectable library and every philosopher with an interest in Rousseau will want to possess this volume.—Stanley Bates, *Middlebury College*.

SCOTI, Ioannis Duns. *Opera Philosophica*, Vol. II. Edited by Girard J. Etzkorn, Romuald Green, and Timothy B. Noone. St. Bonaventure, N.Y.: The Franciscan Institute, 2004. 768 pp. Cloth, \$125.00—Volume 2 in the *Opera Philosophica* of Blessed John Duns Scotus contains three works: (1) the *Quaestiones in Libros Perihermenias Aristotelis*, edited by R. Andrews, G. Etzkorn, G. Gál, R. Green, T. Noone, R. Plevano, A. Traver, and R. Wood; (2) the *Quaestiones super librum Elenchorum Aristotelis*, edited by R. Andrews, O. Bychkov, S. Ebbesen, G. Etzkorn, G. Gál, R. Green, T. Noone, R. Plevano, and A. Traver; and (3) the *Theoremata*, edited by M. Dreyer and H. Möhle, with the collaboration of G. Krieger.

The first of the texts edited in this volume is *Quaestiones in Libros Perihermenias Aristotelis*, which actually exists in two sets, the *Quaestiones in primum librum Perihermenias Aristotelis* and *Quaestiones in duos libros Perihermenias Aristotelis*. In the English introduction to these two texts, the editors present the descriptions of the thirteen known manuscripts of the first work and the seven known manuscripts of the later. All known manuscripts which contain the second work also contain the first. The editors also describe the groupings of the manuscripts and provide *stemmata* for each of the two works. The editors also treat the evidence for ascribing both texts to Scotus. The Scotus Commission in the 1930s maintained that both works were by Scotus, but Jacobus Naveros in the 1530s expressed some doubts about the authenticity, and these doubts have lingered (see p. 31 nn. 31 and 32). However, the editors of the two texts in the *Quaestiones in Libros Perihermenias* examine the ascriptions to Scotus in the manuscripts, the material in Antonius Andreae, and the explicit citations by Adam Wodeham, and they conclude: "In light of the primary and secondary evidence available, therefore, we conclude that the works entitled *Quaestiones*



*super primum librum Perihermenias Aristotelis* and *Quaestiones super duos libros Perihermenias Aristotelis* were written by John Duns Scotus" (p. 33). The editors also discuss the chronology of these two works. There are internal references in the *Quaestiones in primum librum Perihermenias* to the *Quaestiones in librum Praedicamentorum* and to the *Quaestiones in librum Porphyrii*. There are no cross references in the *Quaestiones in duos libros Perihermenias Aristotelis*. Of course, as the editors indicate (see p. 34), Franciscans, even those in with chairs in the universities of the late 1300s and early 1400s, were called upon to lecture in logic to younger students in the *studia*, and it is entirely possible that lectures initially given earlier in the career of a master could have been reworked and polished when they were given subsequently in the Franciscan *studia*. The questions edited for these two texts of the *Quaestiones in Libros Perihermenias* treat, for example, the signification of names, common terms, propositions concerning future contingents, and contradictories. The text is followed by indexes of the manuscripts and the authors, as well as by a very detailed and useful doctrinal index.

The second work edited in this volume is the *Quaestiones super librum Elenchorum Aristotelis*, which follows the same format as the edition of the *Quaestiones in Libros Perihermenias*, namely, an introduction (in English) with discussions of the manuscripts and editions, the manuscript/edition traditions, authenticity of the text, and the translation and sources; the edited text itself; and the indices of manuscripts, authors, and doctrines. The edited text presented its own unique challenges because it has survived in only two manuscripts, and the editors needed to rely on the previous, noncritical editions. The editors argue that the manuscript evidence, the parallels to other authentic works of Scotus, and stylistic considerations lead to the conclusion that "the work should be regarded as that of Scotus" (p. 265). The text itself is concerned with "sophistical syllogisms" and treats fallacies like equivocation, amphibole, division, composition, figures of speech, accent, accident, and *ignoratio elenchi*.

The third work in the volume is the *Theoremata*. The editors of this text have in their introduction (in German) followed a format similar to that of the introductions of the two other works in this volume: a description of the four known manuscripts and two previous uncritical editions (one the 1497 Venice edition and the other the Wadding edition of 1639, which was reprinted by Vivès in 1891), a description of the manuscript/edition traditions, and a treatment of the authenticity of the text, in which the editors conclude: "Externe wie interne Gründe—so kann man abschließend festhalten—sprechen also dafür, daß Johannes Duns Scotus der Autor des Textes der *Theoremata* ist" (p. 580). The editors also analyze the nature of *Theoremata* literature and provide an explanation of the principles employed for the editing of the text. The critical text is provided along with additions or *textus interpolati* founded mainly in the manuscripts K and M—some of these were obviously not by Scotus himself (see, for example the *textus interpolatus* in ms. M on p. 607). The content of these questions includes questions on universals, on quality and quantity, concepts, causes, matter, form, and



agency. The volume ends with the same type of indices as the previous two texts, but it also includes a detailed synopsis of the manuscripts and the uncritical editions.

The *Opera Philosophica*, Vol. II provides the modern scholar with accessible texts of three works attributed to John Duns Scotus. The apparatus of variants is clear and unencumbered, and the identification of sources is careful, accurate, and helpful. The indices will help scholars who are investigating particular topics in the thought of John Duns Scotus. This volume is a credit to the editors and those who have sponsored and supported the research on this long overdue volume, and it is welcomed by scholars of Franciscan thought and logic in the High Middle Ages.—Gordon A. Wilson, *University of North Carolina–Asheville*.

STERN, David G. *Wittgenstein's Philosophical Investigations: An Introduction*. Cambridge Introductions to Key Philosophical Texts. Cambridge: Cambridge University Press, 2004. xv + 208 pp. Cloth, \$65.00; paper, \$23.99—Stern's introduction to Wittgenstein's *Philosophical Investigations* is divided into an introduction and seven chapters. Stern begins by pointing out that Wittgenstein's influence is pervasive and enduring, but there is no agreement about even basic aspects of his thought. The published version of the book includes part I, which Wittgenstein finished, and part 2, quarried by editors from unfinished parts of his *Nachlass*. Stern limits his book to consideration of part 1.

In the introduction, Stern points to a paradox arising from the difference between Kripke's suggestion that in his account of rule-following Wittgenstein offers a skeptical argument, and passages indicating he rather intends to dissolve traditional philosophical problems by getting us to see they are nonsense. According to Stern, we need to distinguish among, and account for, two different voices in the treatise which are usually not differentiated: Wittgenstein's narrator, who argues for positive philosophical theses, and Wittgenstein's commentator, who dismisses philosophical problems for which he invokes a therapeutic approach. Stern's intention is to do justice to both sides in showing how the argumentative and therapeutic aspects of the *Philosophical Investigations* fit together.

Stern expounds this approach in elementary form in chapter 1, and then in more detail in the remainder of the book, in taking successive parts of *Philosophical Investigations* as a point of departure with the aim of helping readers to form their own opinion. In chapter 1, he identifies two small-scale patterns of argumentation—"the method of §2" and "the method of paradox"—which occur repeatedly in Wittgenstein's text. On this basis, he proposes that when we see that the *Philosophical Investigations* is comparable to a Socratic dialogue or an Augustinian confession, we understand it has more structure than a simple series of numbered paragraphs.

Chapters 2–3 take up different ways to read *Philosophical Investigations*. Chapter 2 discusses the preface to this work and its relation to the preface to the *Tractatus*. Stern provides an account of main currents of Wittgenstein interpretation with a view to orienting the novice reader. At the same time, he also presents an *aperçu* of his own ap-



proach. Chapter 3 comments on the motto with which the *Philosophical Investigations* opens. Most readers either pass over the motto or regard it as unambiguous. Stern regards the motto as ambiguous. He suggests it points to different ways it can be understood in reference to context, perspective, and background. He further suggests this is an exemplary model for understanding the *Philosophical Investigations*.

Chapters 4–7 are respectively concerned with §§1–64, §§65–133 and its relation to §§134–242 and §§243–68. Stern's approach is keyed toward discussion of the secondary literature. He identifies and criticizes lines of interpretation that are taken for granted, and that structure the way novice readers come to Wittgenstein but are in fact misinterpretations of the text. We must address these misinterpretations in order to grasp the *Philosophical Investigations*, not as a treatise but rather as a dialogue among different voices. Stern points out that Wittgenstein takes views he rejects very seriously. He makes them integral to the process of searching for a true view. The book ends with a brief conclusion and a section on further reading.

Wittgenstein, who claims we must write clearly, is a notoriously difficult author. The Wittgenstein literature is often as difficult to read as the texts it discusses. Stern writes exceptionally clearly. He knows Wittgenstein and the Wittgenstein secondary literature very well. He proposes not so much an interpretation of the text as, rather, no more than preliminary indications that might lead to that result—to indicate how to free the text from approaches that tend to block our access to it. He is concerned to identify, criticize, and remove from view a whole tradition of Wittgenstein interpretations, in order that the reader can have an unobstructed view and construct a viable interpretation of the text. This is helpful since a number of interpretations, such as Kripke's skeptical reading of rule-following, to which Stern points, have acquired an importance in the literature where they tend to take the place of Wittgenstein's own text. Since Stern does not claim to give an interpretation of the *Philosophical Investigations*, so much as an introduction to Wittgenstein's treatise, this book is rather Stern's version of the prolegomena to reading it in a way that can hope to engage the text successfully. This is a very good, and certainly very useful book for anyone interested in seriously wrestling with Wittgenstein's *Philosophical Investigations*.—Tom Rockmore, *Duquesne University*.

STRAUSS, Leo. *Leo Strauss: The Early Writings (1921–1932)*. Translated and edited by Michael Zank. Albany: State University of New York Press, 2002. vii + 238 pp. Cloth, \$68.50; paper, \$22.92—This is a welcome collection of short writings of Leo Strauss (1899–1973) originally appearing in various German journals and periodicals. In addition to a valuable introduction, Zank has divided the subject matter into the following topics: (1) Abstract of Strauss's dissertation on knowledge in Friedrich Heinrich Jacobi, (2) Zionist Writings, (3) Writings on Spinoza, especially on his Biblical science, and (4) Reorientations, which include reviews of Freud, Rosenzweig, Ebbinghaus, and another comment on Spinoza.



For those familiar with Strauss's careful studies of classical authors and his attention to political philosophy, these essays will serve to clarify Strauss's own Jewish background and the intense interest he took in the affairs of German Jewry in his intellectual youth. Strauss's familiarity with theological issues is latent in all his work but is seen here in a more graphic fashion.

We come across passages of great depth in these writings. For instance, in his section on "The Substance of Jacobi's Doctrine" (1921), we read, as a summary of Jacobi, that "in the act of perception, consciousness is equally conscious of both the perception of reality outside itself and of the real in itself. We do not reach consciousness of our own reality before reaching consciousness of the transcendent reality" (p. 55). Clearly, the young Strauss is familiar with the problems of epistemology and of realism.

In his review of Rudolf Otto's famous *Idea of the Holy* (1923), we read, "If God is a being in Himself, independent of His being experienced by man, and if we know about His being from what is revealed in Torah and prophecy, then the theoretical exposition of that which is known is possible in principle, which means theology. To this extent, theology is the expression of simple and unambiguous piety" (p. 78). Again, Strauss clearly has an early grasp of the dimensions of Jewish revelation and theology.

In a later essay on "Arguments with European Science," Strauss wrote, "[T]heology is needed as an autonomous science, insofar as it makes sense to speak of God's being-in-Himself and insofar as there is knowledge of this being-in-Himself. On this basis, it is possible to regain recognition for those moments that had been lost in the concatenation of Enlightenment critique and romantic reinterpretation. Put in terms of a formula: the transcendence of God is determined as 1) beyond experience, 2) beyond life, and 3) beyond ideas" (p. 111). Likewise here, we have intimations of Strauss's essential problem with the Enlightenment's effort to bring transcendence to earth.

Each of these essays contains intimations of the brilliance that Strauss is to show all through his writings. He is concerned with the problem of German Zionism in a very active way, while very much critical of many of its tendencies. These are writings that take place just after the foundation of the Weimar Republic, when German Jews were debating intensely their relation to the new state, whether simply to become citizens of it or to retain an identity of their own in various fashions.

One of Strauss's most famous theses has to do with the relation of Jerusalem and Athens, and the relation of both to "modernity." Strauss seems to have defined himself primarily as a philosopher in the tradition of Plato. But he did not think that the "whole" that philosophy sought a knowledge of could necessarily exclude the "whole" deriving from revelation.

It is with this thought in mind that I conclude this review with a comment on Strauss's 1931 review of Julius Ebbingham's *On the Progress of Metaphysics*, a lecture given at Rostock University. The "modern prejudice" is the denial of the possibility "that the truth has not already been found in the past." Modern philosophizing "freely and on one's own"



means that we do not have to take account of past history or philosophy. As a result, we are worse than we were before. Our situation is as follows: "[T]oday we find ourselves in a second, much deeper cave than the lucky ignorant persons Socrates dealt with; we need history first of all in order to ascend to the cave from which Socrates can lead us to light; we need a propaedeutic, which the Greeks did not need, namely, learning through reading" (p. 215).

Perhaps nothing clearer can be found to indicate Strauss's own passion for accurate historical reading of the philosophers of the present and of the past to understand the real difficulties modern philosophy confronts or fails to confront in its own choices of first principles. That truth has not also been found "in the past" is a modern prejudice. As Strauss intimates, we do need both Jerusalem and Athens and, as I would add, Rome.—James V. Schall, *Georgetown University*.

VAN DER EIJK, Philip. *Medicine and Philosophy in Classical Antiquity: Doctors and Philosophers on Nature, Soul, Health, and Disease*. Cambridge: Cambridge University Press, 2005. 404 pp. Cloth, \$95.00—Philip J. van der Eijk, a professor of Greek at the University of Newcastle on Tyne, has published extensively on ancient philosophy, medicine, science, and related subjects. He is the coauthor of *Ancient Histories of Medicine: Essays in Medical Doxography and Historiography in Classical Antiquity*.

The present work is divided into three parts. Part 1 deals with the Hippocratic Corpus and Diocles of Carystus. Part 2 focuses on Aristotle and his school; part 3 on Galen's dietetics and pharmacological works, and on early medical writers such as Diocles, Soranus, and Caelius.

van der Eijk speaks of the "Greek Miracle," a civilization that arose in Greece and nearby islands 2400 years ago and continues to influence Western understanding of science and medicine. As a matter of fact, Greek medicine with Hippocrates and Roman medicine with Galen dominated Western medicine up to the nineteenth century. Recent studies suggest that early philosophers had more interaction with physicians than is commonly acknowledged. Empedocles, Democritus, Parmenides, Pythagoras, Strato, Theophrastus, Sextus Empiricus, Plato, and Aristotle are commonly studied as philosophers, but these philosophers also wrote about anatomy, physiology, embryology, reproduction, youth, old age, and the effects of drugs and drink on the lives of people. Empedocles engaged in actual therapeutic practice; Democritus did anatomical research.

What has come to be known as the Hippocratic Corpus consists of sixty treatises. Written in the Ionic dialect, there is no evidence that any of them was written by Hippocrates. Recent scholarship suggests that these treatises originated in the medical school of the island of Cos where Hippocrates was born. The Hippocratic Oath is really a compilation of Hippocratic writings. Praxagoras of Cos is known for his



discovery of the difference between veins and arteries. The author of the Hippocratic treatise on epilepsy criticized magic or superstitious description of this disease and dismissed any magical treatment of epilepsy. Diocles of Carystus, who some claim was a student of Aristotle, was known as "the younger Hippocrates." He produced an interesting treatise on dietetics, and in one passage he argues that it was not necessary to understand the cause to perform treatment.

In the treatise on "Epidemics" attributed to Hippocrates, we find a version of the famous oath, "The doctor should declare what has happened before, understand what is present, and foretell what will happen in the future. This is what he should practice. As to diseases, he should strive to achieve two things, to help or do no harm. The medical art consists of three components: the disease, the patient, and the doctor. The doctor is the servant of his art. The patient should combat the disease with the cooperation of the doctor."

The Hippocratic Oath suggests that the medical profession was making an effort to set high moral standards; for example, no female should be given an abortive drug; no administration of a lethal poison even when asked by the patient to do so; no abuse of a patient by a doctor. This coincided with significant advances in medical knowledge that set the tone for centuries to come. By the fourth century B.C. pharmacology, surgery, and dietetics were distinct areas of study. Dietetics were viewed by most for the preservation of health, not for treatment.

van der Eijk devotes a considerable portion of his book to the biological works of Aristotle. He provides an extended treatment of Aristotle on the nature of the psychic processes. Acknowledging that bodily conditions affect intellectual activity, Aristotle was nevertheless convinced that thinking involves a nonphysical aspect. The author assumes that his readers have a medico-physiological background as he relates Aristotle's discussion of intelligence to his study of animals. The dependence of intellect on a healthy body is taken for granted. To the intriguing question, "Where does one think?", Aristotle, by van der Eijk's account, is not sure and seems to emphasize the role of the heart. Separate chapters are devoted to Aristotle on Eutuchia and on sterility.

Five centuries later, Galen (129–c.199) discusses whether the maintenance of a healthy body belongs to dietetics or gymnastics. Galen was certainly the most distinguished of the Greek physicians. Called to the Court of Marcus Aurelius in Rome, he became personal physician to Aurelius' son, Commodus. Like Aristotle, Galen's work illustrates the reciprocal influence of philosophy and medicine on each other. Galen had studied at the medical school attached to the shrine at Asclepius in Pergamum and there became acquainted with the teachings of Plato, Aristotle, Epicurus, and the Stoics. Among other accomplishments, he is credited as the founder of experimental physiology. In discussing the methodology to be employed in dietetics and pharmacology, Galen stipulated that both reason (theory) and experience are indispensable tools for acquiring knowledge and understanding. Empirical evidence, standing alone, can easily be misinterpreted. With respect to the prescription of foodstuffs and medicines, one must be prepared to "qualify experience." Sometimes a substance has to be tried repeatedly to be considered an effective agent. Then, too, a single herb may at times be a food-



stuff, a drug, or even a poison, depending on dosage and circumstance. Any medical claim, idea, or notion may stand in need of qualification by experience. Surprisingly, to this reviewer, a physician, Galen offers a very modern concept of absorption between the stomach and the body and of absorption through the skin. Although pharmacology and dietetics were important to the ancients, over the centuries this aspect of medicine became less important and almost disappeared. Until about fifty years ago, a dietician was always hospital-based and was usually a college graduate with training in food chemistry. Concern until then was limited to diseases that necessitated strict diets, such as a low-salt diet for heart patients, low-carbohydrate diet for diabetics, and low protein for individuals with chronic kidney diseases.

Upon finishing this book, one is drawn to the conclusion that although the ancients made some serious mistakes in diagnosis and treatment when compared with modern medical practice, those physicians and philosophers have much to tell us about human nature, methods of enquiry, and even medical practice.—Lorenzo Marcolin, *Rockville, MD*.

VAUGHT, Carl. *Access to God in Augustine's Confessions: Books X–XIII*. Albany: State University of New York Press, 2005. xi + 280 pp. Cloth, \$65.00—Having already treated books 1–6 (SUNY Press, 2003) and 7–9 (SUNY Press, 2004), Baylor University's Carl Vaught opens this volume by asking the question any twentieth-century reader of Augustine would expect. How are the first nine more overtly autobiographical books related to these final four books on the workings of human memory, on the nature of time, and God's good creation? Challenges on the Continent first questioned the unity of the *Confessions*, perhaps best captured by Max Zepf's 1926 edition, which opened with this less than sympathetic *Vorwarnung*—that the *Confessions* "is divided into two parts which seem to have nothing whatsoever to do with other. . . . Who has not been compelled to shake his head and ask what purpose Augustine could have had in mind when he thus brought together such various materials?" Instead of affirming such a perceived discontinuity, Vaught answers by arguing how the latter four books are precisely what enables the narrative of 1–9 in the first place: "the structure of memory makes it possible for [Augustine] to remember the stages of his journey; the nature of time makes the temporal episodes in which he participates possible; and the interpretation of creation *ex nihilo* makes the understanding of his quest for fulfilment possible" (p. 23). With that, Vaught sets into the final four books of the *Confessions*, tracing the highlights of each section with valuable insight and commentary.

As any reader knows, these books contain exceptionally complex material. Vaught's method is to proceed through the text step-by-step; the only drawback to such an approach is how it rarely leaves room for either examining the development of thought having led up to that text or tracing the influence it enjoyed thereafter. While this is the case here, Vaught is to be commended for explicating *Confessions* 10–13 using clear descriptions as well as helpful figures. In the first chapter (pp. 27–99), he treats the nature of memory as laid out in book 10, concentrating



on its role as returning the human person back to God. Included here are excellent sections on the paradoxical phenomena of remembering one's forgetfulness, the spiritual struggle involved in recalling one's narrative, and the role of Christ as the unmatched Mediator between the eternal and the temporal.

The second chapter (pp. 101–49) continues with the nature of time as it turns to book 11 and Augustine's treatment of the nature of flux, the concept of time, and the soul's subsequent *distentio ad non esse*. Presented throughout as the Christian curate of souls, Vaught rightly sees how even Augustine's otherwise abstract inquiry into time is pastorally motivated and pertinent: "when we fall away from God and when our fluttering hearts are bound to changing things of past and future, conversion of a second kind is required to bring us back to the one from whom we have turned away. One of Augustine's tasks will be to uncover a concept of time that reflects the conversion of the soul at the theoretical level and that makes his existential conversion possible" (p. 121; readers should be aware of an egregious error, on p. 125, of mistaking the *praesens tempus* of 11.14.17 as "future time").

Books 12 and 13 on creation are compressed into the last and lengthiest chapter (pp. 151–226). Vaught very effectively shows the various meanings of "heaven" and "earth" employed throughout by Augustine: earth as the visible earth, earth as material existents, earth as the "material" *formabilitas* out of which all things come, and heaven in the usual sense of the term, heaven as the *caelum caeli* and *ciuitas dei*, and heaven as formless spiritual matter. Having made these helpful distinctions, Vaught goes on to explain the importance of the opposition Augustine experienced in his exegesis of Genesis, and he offers an all too brief section on the faithful's divine *requies* as the denouement of God's good creation.

This final volume is a much welcomed completion to this trilogy and SUNY Press would do well to release all three in a one-volume edition. This series of commentaries will prove helpful on many levels. For anyone picking up the *Confessions* for the first time, Vaught does a very nice job taking the reader through the basic narrative, through the who's and the why's of Augustine's story. These texts will also assist scholars desiring to go deeper into Augustine's thought; and, finally, for those of us teaching the *Confessions*, Vaught's comments here freshly illumine a text with which we should never grow all too comfortable or familiar. As such, all students of Augustine owe Dr. Vaught a sincere thanks.—David Vincent Meconi, *University of Oxford*.



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## CURRENT PERIODICAL ARTICLES\*

### PHILOSOPHICAL ABSTRACTS

AMERICAN CATHOLIC PHILOSOPHICAL QUARTERLY  
Vol. 80, No. 1, Winter 2006

*Radical Orthodoxy's Poiêsis: Ideological Historiography and Anti-Modern Polemic*, WAYNE J. HANKEY

For Radical Orthodoxy participatory *poiêsis* is the only form of authentic postmodern theology and determines its dependence upon, as well as the character of, its narrative of the history of philosophy. This article endeavors to display how the polemical antimodernism of the movement results in a disregard for the disciplines of scholarship, so that ideological fables about our cultural history pass for theology. Because of the Radical Orthodox antipathy to philosophy, its assertions cannot be proven rationally either in principle or in fact, and its followers are reduced to accepting its stories on the authority of their tellers. The moral and rational disciplines are replaced with a postmodern incarnational neo-Neoplatonism in which the First Principle and sensual life are immediately united, without the mediation of soul or mind. With this disappearance of *theoria*, surrender to the genuinely other, and even attentive listening, become impossible.

*Faith and Reason in Theory and Practice: Some Reflections on the Responsibility of the Philosopher in Teaching Ethics at a Catholic University*, BERNARD G. PRUSAK

This paper takes up the question, What is the responsibility of the philosopher, specifically the Catholic philosopher, in teaching ethics at a Catholic university? Examination of the constitution *Ex Corde Ecclesiae* reveals that answering this question requires examining in turn the relationship between theology and philosophy. Accordingly, the paper proceeds to an analysis of the late Pope John Paul II's encyclical, *Fides et Ratio*. This analysis shows, however, that the very distinction between theology and philosophy seems to become problematic on the encyclical's terms. The paper thus goes on to indicate a different means of distinguishing these disciplines, and concludes by considering the significance of this distinction for the question of the responsibility of the Catholic philosopher.

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\*Abstracts of articles from leading philosophical journals are published as a regular feature of the *Review*. We wish to thank the editors of the journals represented for their cooperation, and the authors of the articles for their willingness to submit abstracts. Where abstracts have not been submitted, the name and author of the article are listed.

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*Mercy and Justice in St. Anselm's Proslogion*, GREGORY B. SADLER

An important issue raised and resolved in St. Anselm's *Proslogion* is the compatibility between justice and mercy as divine attributes. In this paper the author argues (1) that Anselm's discussion of divine justice and mercy is an exploration of God's nature as *quo maius cogitari non potest*, and (2) that his discussion contributes to a better understanding of the complicated relationship between God and creatures—including the creatures attempting to know or argue about God. It seems at first that God's mercy must be in contradiction with God's justice. On the basis of a more adequate way of framing the issue, however—one that requires reference to other parts of the *Proslogion* and is supported by the *Monologion*—we can grasp, though not fully comprehend, the harmony between divine justice and divine mercy.

*Scotus and Haecceitas, Aquinas and Esse: A Comparative Study*, JAMES B. REICHMANN

This study compares the teachings of Thomas Aquinas and John Duns Scotus on the issue of being and individuality. Its primary aim is to contrast Scotus's individuating principle, *haecceitas*, with Aquinas's actualizing principle, *esse*, attending both to their rather striking similarities as well as to their significant differences. The article's conclusion is that, while Scotus's crowning principle, *haecceitas*, is the unique entity internal to each thing, rendering the nature complete and singular as nature, Aquinas's crowning principle, *esse*, actualizes the nature without individualizing it. This is not to imply that Scotus overlooked the importance of a thing's being, any more than Aquinas overlooked the importance of a being's singularity. It does mean, however, that the primal integrating focus and the resulting philosophical synthesis of these two seminal thinkers of the Middle Ages did significantly differ. The conclusion of the paper might be stated thus: what most distinguishes their respective philosophies is that, while Scotus's primary concern was with the existing *individual*, Aquinas's was with the *existing* individual.

*Medieval Natural Law and the Reformation: A Comparison of Aquinas and Calvin*, DAVID VANDRUNEN

An important aspect of the contemporary controversies over John Calvin's natural law doctrine has been his relation to the medieval natural law inheritance. This paper attempts to put Calvin in better context through a detailed examination of his ideas on natural law, in comparison with those of Thomas Aquinas. The author argues that significant points of both similarity and difference between them must be recognized. Among important similarities, he highlights their grounding of natural law in the divine nature and the relationship of natural to civil law. Among important differences he notes issues of participation, conscience, and the two kingdoms doctrine. Calvin resides in the same broad tradition of natural law as Thomas Aquinas, although he represents a somewhat different strand of it.



*Intention, Proportionality, and the Duty of Aid*, JOSEPH SHAW

When moral rules are formulated in terms of intentions, agents are forbidden to countenance harms that are out of proportion with the good they are intending to achieve. Shelly Kagan has argued that if resources are not used for the most value-producing purpose, the agent will be allowing a harm or loss greater than the good intended. This paper argues that this understanding of proportionality is incorrect, since it displaces the commonsense understanding of the duty of aid, which varies in stringency according to the agent's relationship with the person in need, and other factors. The author suggests that proportionality should be understood in terms of the duty of aid. Even in pursuing an intended good, one must not infringe one's duty of aid to others.

*Persons in Time*, CHRISTOPHER TOLLEFSEN

It can seem implausible that a merely bodily existence could be also a personal existence. Two related lines of thought can mitigate this implausibility. The first, developed in the first part of this paper, is the thought that our bodily existence is better described as an organic, animal existence. Organisms, the author argues, are essentially temporal; this essential temporality makes sense of the possibility that some organisms are persons. The second line of thought, addressed in the second part of the paper, considers the relationship between the notion of a person and temporal existence. Persons need not exist in time, but some do. Consideration of what the temporal existence of a person must be like makes organic existence seem an appropriate way for temporal persons to exist.

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AUSTRALASIAN JOURNAL OF PHILOSOPHY  
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*The Scope and Limits of Human Knowledge*, D. M. ARMSTRONG

This paper argues that the foundations of our knowledge are the bed-rock certainties of ordinary life, what may be called the Moorean truths. Beyond that are the well established results within the empirical sciences, and whatever has been proved in the rational sciences of mathematics and logic. Otherwise there is only belief, which may be more or less rational. A moral drawn from this is that dogmatism should be moderated on all sides.

*Metaphysical Illusions*, J. J. C. SMART

The paper begins by considering David Armstrong's beautiful paper "The Headless Woman Illusion and the Defence of Materialism," which conjectures how we get the illusion that there are nonphysical qualia. There are discussions of other metaphysical illusions, that there is a passage of time,



that we have libertarian free will, and that consciousness is ineffable (which last also relates to Armstrong), and of their possible explanations. Moral: avoid appeal to so called intuition or phenomenology.

*Relations between Universals or Divine Laws?* RICHARD SWINBURNE

Armstrong's theory of laws of nature as relations between universals gives an initially plausible account of why the causal powers of substances are bound together only in certain ways, so that the world is a very regular place. But its resulting theory of causation cannot account for intentional causation, since this involves an agent trying to do something, and trying is causing. This kind of causation is thus a state of an agent and does not involve the operation of a law. It is simpler to suppose that nonintentional causing is also causing by substances (and not events) in virtue of their powers to act. That raises again the question of why their powers are bound together only in certain ways. The most probable answer is that God, the simplest kind of person there could be, brings this about because it is necessary for the existence of finite rational creatures such as ourselves.

*Does Armstrong Need States of Affairs?* JAMES D. RISSLER

In 1997, David Armstrong argued that the world is a world of states of affairs. In his latest book, *Truth and Truthmakers*, he remains strongly committed to the existence of states of affairs, despite now advocating an ontology in which they are not needed "as an ontological extra." States of affairs remain needed, Armstrong says, "to act as truthmakers for predicative truths." In this paper, the author attempts to shed light on what Armstrong might mean by this claim. While there is a straightforward sense in which states of affairs are not needed in Armstrong's amended ontology, the author suggests that Armstrong might be charitably interpreted in a manner that justifies his claim. However, in clarifying the manner in which states of affairs remain needed in Armstrong's ontology, it becomes unclear whether they are needed in any deep sense, or rather are merely parochial to his ontology. The paper examines Armstrong's rejection of resemblance nominalism on the grounds that it does not provide adequate minimal truthmakers. The author then argues that he has significant additional work to do in explaining this concept before his rejection of resemblance nominalism can be justified, and thus before the need for states of affairs can be asserted generally, rather than just within particular ontologies, such as Armstrong's amended one.

*The Operator Theory of Instantiation*, PETER FORREST

Armstrong holds the supervenience theory of instantiation, namely, that the instantiation of universals by particulars supervenes upon what particulars and what universals there are, where supervenience is stipulated to be explanatory or dependent supervenience. This paper begins by rejecting the supervenience theory of instantiation. Having done so it is then tempting to take instantiation as primitive. This has, however, an awkward consequence,



undermining one of the main advantages universals have over tropes. So the author examines another account hinted at by Armstrong. This is the operator theory of instantiation, by which the author means the theory that universals are operators, and that a particular instantiates a monadic universal because the universal operates on the particular, resulting in the state of affairs. On this theory the state of affairs supervenes on the instantiation rather than vice versa. In the second part of the paper the author develops this theory of universals as operators, including an account of structural universals. This is important because Armstrong's supervenience theory provides an account of instantiated structural universals, while leaving no room for uninstantiated universals of any kind. It requires some work to see how there can be a satisfactory alternative that does allow for uninstantiated structural universals, which are, the author says, a panacea for modal, mathematical, and other diseases of contemporary ontology.

*The Legacy of Linguisticism*, JOHN HEIL

In recent work on truth and truthmaking, D. M. Armstrong has defended a version of truthmaker necessitarianism, the doctrine that truths necessitate truthmakers. Truthmaker necessitarianism, he contends, requires the postulation of "totality facts," which serve as ingredients of truthmakers for general truths and negative truths, and propositions, which function as the fundamental truth bearers. The author argues that neither totality facts nor propositions need figure in an account of truthmaking, and he suggests that both are artifacts stemming, albeit in different ways, from an ontologically shady "linguisticizing" tendency to conflate features of descriptions and features of what is described.

*Negative Truths from Positive Facts*, COLIN CHEYNE and CHARLES PIGDEN

According to the truthmaker theory that the authors favor, all contingent truths are made true by existing facts or states of affairs. But if that is so, then it appears that we must accept the existence of the negative facts that are required to make negative truths (such as "There is no hippopotamus in the room") true. The authors deny the existence of negative facts, show how negative truths are made true by positive facts, point out where the (reluctant) advocates of negative facts (Russell, Armstrong, and others) went wrong, and demonstrate the superiority of their solution to the alternatives.

*Combinatorialism and the Possibility of Nothing*, DAVID EFIRD and TOM STONEHAM

The authors argue that Armstrong's combinatorialism allows for the possibility of nothing by giving a combinatorial account of the empty world and show that such an account is consistent with the ontological and conceptual aims of the theory. They then suggest that the combinatorialist should allow for this possibility given some methodological considerations. Consequently, rather than being "spoils for the victor," as Armstrong maintains, deciding whether there might have been nothing helps to determine which metaphysics of modality is to be preferred.



*Natural Classes of Universals: Why Armstrong's Analysis Fails,*  
LOWELL FRIESEN

Realists, D. M. Armstrong among them, claim, contrary to natural class nominalists, that natural classes are analyzable. Natural classes of particulars, claim the realists, can be analyzed in terms of particulars having universals in common. But for the realist, there are also natural classes of universals. And if the realist's claim that natural classes are analyzable is a general claim about natural classes, then the realist must also provide an analysis of natural classes of universals. For Armstrong, the unity (or naturalness) of a natural class of universals is analyzed in terms of universals resembling each other. The author argues that Armstrong's account fails. His account fails for the same reason all other resemblance accounts of natural classes fail: some arbitrary classes satisfy the analysis for natural classes.

*Armstrong on the Spatio-Temporality of Universals,* ERNANI  
MAGALHAES

Provocatively, David Armstrong's properties are supposed to be both universals and spatio-temporal. What does this amount to? The author considers four of Armstrong's views, in order of ascending plausibility: (1) the exemplification account, on which universals are exemplified by space-times; (2) the location account, on which universals are located at space-times; (3) the first constituent account, on which spatio-temporal relations are elements of what he calls the form of time; and, the true view, (4) the second constituent account, on which universals are spatio-temporal only derivatively by being constituents of states of affairs which are so primarily. The first two accounts are rejected because they entail that space-times must be substantial. In making plausible the second constituent account, the author distinguishes primitive and derivative spatio-temporality. Something is primitively spatio-temporal when it is at a space-time or stands in spatio-temporal relations. Something is derivatively spatio-temporal when it is a constituent of something primitively spatio-temporal.

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*Perception and Content,* BILL BREWER

It is close to current orthodoxy that the most basic and theoretically fruitful characterization of perceptual experience is given by its representational content. Thus, perception is provisionally assimilated to thought. Although proponents of this content view (CV) offer various features of perceptual contents intended to distinguish these from the contents of thought, all retain two features which the author argues stand in the way of CV's proper appreciation of the fact that perception involves the subjective presentation



of particular persisting mind-independent objects in experience: first the possibility of falsity; second, the involvement of generality. McDowell's own insistence upon the object-dependent demonstrative contents of perception is a case in point, which the author argues equally fails to do justice to the datum of subjective presentation.

*McDowell, Sellars, and Sense Impressions*, WILLEM A. DEVRIES

*Three Sorts of Naturalism*, HANS FINK

In "Two Sorts of Naturalism" John McDowell sketches his own sort of naturalism in ethics as an alternative to "bald naturalism." In this paper the author distinguishes materialist, idealist, and absolute conceptions of nature and of naturalism in order to provide a framework for a clearer understanding of what McDowell's own naturalism amounts to. He argues that nothing short of an absolute naturalism will do for a number of McDowell's own purposes, but that it is far from obvious that this is his position. If McDowell directly denies that it is, he seems to be left with some rather awkward choices.

*Varieties of Nature in Hegel and McDowell*, CHRISTOPH HALBIG

*Thought and Experience in Hegel and McDowell*, STEPHEN HOULGATE

John McDowell rightly suggests that his thinking is Hegelian, at least in spirit. In this essay, however, the author highlights a significant difference between McDowell and Hegel. For McDowell, we seem to need rational constraints on thinking and judging, from a reality external to them, if we are to make sense of them as bearing on a reality outside thought at all. For Hegel, by contrast, we know of the world—or at least its categorial structure—from within thought itself. McDowell thus holds that the world exercises authority over thought through perceptual experience, whereas Hegel believes that the world exercises authority over our perceptual experience through thought.

*Practical Reason and its Animal Precursors*, SABINA LOVIBOND

Both John McDowell and Alasdair MacIntyre have discussed the emergence of human subjectivity from proto-rational tendencies observable in children and other animal species. McDowell (in *Mind and World*) develops a position which admittedly threatens to reduce (mere) animals to the status of automata; but he repels this threat with the aid of Hegelian ideas transmitted by Marx and Gadamer. MacIntyre challenges what he sees as an exaggeration by McDowell of the starkness of the animal-human divide. Yet he does not dispute the traditional view of humans as the sole subjects of ethics, but implicitly retains the Aristotelian conception of an ethical being as one that can make "living well in general" into an intentional object of pursuit. The author argues that despite MacIntyre's misgivings, McDowell need convince us



only that human life is marked by *some* qualitatively new beginning in practical rationality, albeit in the midst of much that is old.

*Contemporary Epistemology: Kant, Hegel, McDowell*, KENNETH R. WESTPHAL

McDowell and the author agree that (1) we need a tenable socio-historically grounded epistemological realism, (2) Kant's and Hegel's theories of knowledge remain very important because they contribute so much to understanding how a realist account of our empirical knowledge can recognize the pervasive social and historical dimensions of human knowledge, and (3) twentieth-century epistemology has been impoverished by neglecting or misunderstanding Kant's and Hegel's epistemologies. Recently McDowell revisited Kant's and Hegel's views in order to retrace more carefully his remarks about them in *Mind and World*. Analyzing McDowell's recent statements shows, however, that he has not yet identified some key points in Kant's and Hegel's epistemologies, points that are important for his own transcendental project, including: the coextensiveness of understanding and sensibility (§2), identity and predication (§3), objective purport and Kant's transcendental deduction (§4), and proving mental content externalism transcendently (§5).

*Science and Sensibility: McDowell and Sellars on Perceptual Experience*, MICHAEL WILLIAMS

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JOURNAL OF THE HISTORY OF PHILOSOPHY

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*Kant's Immediatism, Pre-Critique*, JULIAN WUERTH

The recent spate of literature on Kant's account of the self considers only a small percentage of Kant's recorded views on the self, limiting itself almost exclusively to the *Critique*. Because Kant there rejects the positive ontology of the self offered by the rationalists, it has been assumed that he rejects all positive ontology of the self. This essay turns to the pre-*Critique* history of Kant's views on the self. It focuses on Kant's positive ontology of the self during the two decades leading to the *Critique*, examining Kant's many rich, often untranslated accounts of the self from this period, including those found in his anthropology lectures, which were published for the first time in any language in 1997. Kant argues that we have an immediate consciousness of the self as a simple substance, and that our simplicity, substantiality, and immediate consciousness of this is necessary for personal identity. At the same time he makes clear that this substantiality and simplicity do not imply permanence, incorruptibility, or immortality. Presenting Kant's positive ontology of the soul prior to the *Critique* helps to lay the foundation for a thoroughly new interpretation of Kant's account of the self in the *Critique* and later sources.



*Kant on Arithmetic, Algebra, and the Theory of Proportions*,  
DANIEL SUTHERLAND

Kant's philosophy of arithmetic cannot be understood apart from his theory of magnitudes, which reflects the Eudoxian theory of proportions. Kant thought that numbers presuppose units, which suggests that arithmetic is about discrete magnitudes and that arithmetic fits into a broadly Euclidean mathematical tradition. At the same time, Kant was also influenced by a distinct Greek arithmetical tradition and by early modern advances in algebra. This paper attempts to explain Kant's unified account of mathematical cognition in geometry, arithmetic, and algebra. One important result is that intuition plays a role in arithmetic by allowing us to represent discrete magnitudes.

*Kant's Critical Concepts of Motion*, KONSTANTIN POLLOK

This paper argues that the concept of motion is central to Kant's natural philosophy, and that the *Metaphysical Foundations of Natural Science* (1786) cannot be properly understood without it. An investigation of this concept is also helpful in assessing the systematic status of this Critical text and the special metaphysics of corporeal nature developed in it. Analysis of the text is particularly important for understanding Kant's theory of pure and applied motion. Since Kant also speaks of motion in his discussions of geometry, and transcendental philosophy in general, some commentators have argued that significant similarities are to be found between his use of "motion" in natural philosophy and his use of the same concept in transcendental philosophy. This paper contends that clarifying the concept of motion in natural philosophy shows how important it is not to confuse objective motion with motion in the subjective sense. The concept of motion in natural philosophy, it is argued, is an empirical and metaphysical concept, while in geometry and transcendental philosophy it is a pure concept connected with the discussion of the transcendental synthesis of the pure imagination.

*Kant and Herder on Baumgarten's Aesthetica*, ANGELICA NUZZO

This paper proposes to view aesthetics as being primarily concerned with the broad potential of human sensibility and with the condition of embodiment. The thesis is articulated through an analysis of the historical connection between Kant, Herder, and Baumgarten—the philosopher who first introduced the term "aesthetics" in philosophy. For Baumgarten, aesthetics is the investigation of the "kingdom of darkness" of sensibility and is subordinated to logic. In different ways, Kant and Herder reject this subordination and claim a central place for sensibility in the development of the human faculties. This is the condition of the autonomy of aesthetics as philosophical discipline.



*The Purposiveness of Form: A Reading of Kant's Aesthetic Formalism*, RACHEL ZUCKERT

The author proposes a new interpretation of Kant's aesthetic formalism: Kant does not claim that an object's spatial or temporal configuration renders it beautiful, as he is usually read, but rather that in aesthetic appreciation, we apprehend the object as a unity of diversity, a unified manifold of reciprocally contrasting and complementing, empirically diverse properties that make the object what it is, as an individual. This interpretation renders Kant's formalism consonant not only with the import of the principle of purposiveness in the *Critique of Judgment* as a whole, but also with a view of formalism prevalent among his contemporaries.

*Character and Evil in Kant's Moral Anthropology*, PATRICK FRIERSON

This paper resolves an apparent conflict in Kant's account of character. At times, Kant associates character with moral virtue, but his primary example of character is one who is evil, Sulla. The author shows that character is a matter of acting on stable maxims and is thus compatible with evil. He then explains three reasons why there is a close connection between character and moral virtue in Kant: character is a necessary condition of moral virtue, the methods for cultivating character promote the development of a virtue, and the good will is the most authentic form of character. This account sheds light on the way character functions in Kant's moral anthropology.

*The Value of Humanity and Kant's Conception of Evil*, MATTHEW CASWELL

In recent years, several leading scholars have advanced an influential re-interpretation of Kant's ethics as a "theory of value" grounded in the unconditional value of humanity, or the power to set ends through reason. The author shows that this approach (found in the work of Paul Guyer, Allen Wood, and Christine Korsgaard) is incompatible with Kant's own conception of evil as strictly imputable, and with his correlated theory of the "original predisposition" in human nature.

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MIND

Vol. 115, No. 458, April 2006

*Possible-Worlds Semantics Without Possible Worlds: The Agnostic Approach*, JOHN DIVERS

If a possible-worlds semantic theory for modal logics is pure, then the assertion of the theory, taken at face value, can bring no commitment to the existence of a plurality of possible worlds (genuine or ersatz). But if we con-



sider an applied theory (an application of the pure theory) in which the elements of the models are required to be possible worlds, then assertion of such a theory, taken at face value, does appear to bring commitment to the existence of a plurality of possible worlds. At least, that is so if the applied theory is adequate. For an applied possible-worlds semantic theory that is constrained to contain only one-world models is bound to deliver results on validity, soundness, and completeness that are apt to seem disastrous. The author attempts to steer a course between commitment to the existence of a plurality of possible worlds and commitment to such a disastrous applied possible-worlds semantics by noting, and developing, the position of one who asserts such a theory at face value but who remains agnostic about the existence of other (nonactualized) possible worlds. Thus, a novel interpretation of applied possible-worlds semantics is offered on which we may lay claim to whatever benefits such a theory offers while avoiding realism about (other) possible worlds. Thereby, the contention that applied possible-worlds semantics gives us reason to be realists about possible worlds is (further) undermined.

*Rigidity and Essentiality*, MARIA GOMEZ-TORRENTE

Is there a theoretically interesting notion that is a natural extension of the concept of rigidity to general terms? Such a notion ought to satisfy two Kripkean conditions. First, it must apply to typical general terms for natural kinds, stuffs, and phenomena, and fail to apply to most other general terms. Second, true identification sentences (such as "cats are animals") containing general terms that the notion applies to must be necessary. The author explores a natural extension of the notion of rigidity to general terms, the notion of an essentialist predicate. She argues that, under natural assumptions, this notion satisfies the two Kripkean conditions.

*Counterfactuals and Explanation*, BORIS KMENT

On the received view, counterfactuals are analyzed using the concept of closeness between possible worlds: the counterfactual "If it had been the case that *p*, then it would have been the case that *q*" is true at a world *w* just in case *q* is true at all the possible *p*-worlds closest to *w*. The degree of closeness between two worlds is usually thought to be determined by weighting different respects of similarity between them. The question the author considers is which weights attach to different respects of similarity. He starts by considering Lewis's answer to the question and argue against it by presenting several counterexamples. He uses the same examples to motivate a general principle about closeness: if a fact obtains in both of two worlds, then this similarity is relevant to the closeness between them if and only if the fact has the same explanation in the two worlds. He uses this principle and some ideas of Lewis's to formulate a general account of counterfactuals, and he argues that this account can explain the asymmetry of counterfactual dependence. The paper concludes with a discussion of some examples that cannot be accommodated by the present version of the account and therefore necessitate further work on the details.



*Williams, Nietzsche, and the Meaninglessness of Immortality*, A. W. MOORE

In this essay the author considers the argument that Bernard Williams advances in the Makropolis Case for the meaninglessness of immortality. The author also considers various counterarguments and suggests that the more clearly these counterarguments are targeted at the spirit of Williams's argument, rather than at its letter, the less clearly they pose a threat to it. The article then turns to Nietzsche, whose views about the eternal recurrence might appear to make him an opponent of Williams. The author argues that, properly interpreted, these views in fact make him an ally.

*Moral Holism, Moral Generalism, and Moral Dispositionalism*, LUKE ROBINSON

Moral principles play important roles in diverse areas of moral thought, practice, and theory. Many who think of themselves as moral generalists believe that moral principles can play these roles—that they are capable of doing so. Moral generalism maintains that moral principles can and do play these roles because true moral principles are statements of general moral fact (that is, statements of facts about the moral attributes of kinds of actions, kinds of states of affairs, and so forth) and because general moral facts explain particular moral facts (that is, facts about the moral attributes of particulars). Moral holism maintains that what is a moral reason to *a* in one case may not be one in another, and may even be a moral reason not to *a* given suitable circumstances. Some moral particularists maintain that moral holism motivates skepticism about the existence of and need for moral principles, along with skepticism about the viability of principle-based approaches to ethics and moral theory. The author argues that moral holism is itself a form of moral generalism, one that takes facts about the right- and wrong-making powers of (generic) moral factors to explain certain particular moral facts, namely, the rightness and wrongness of particular actions. He also argues that a moral-theoretic version of dispositionalism—the view that dispositions, powers, or capacities are the fundamental units of explanation—explains both why moral holism is true and why moral generalism is true.

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MIND

Vol. 115, No. 459, July 2006

*Zif is If*, DAVID BERNETT

A conditional takes the form "If A, then C." On the truth-conditional view of conditionals, conditional statements state things with truth-conditions. On the suppositional view, conditional statements involve the expression of a supposition. The author develops and defends a view on which conditional statements both state things with truth-conditions and express



suppositions. On this view, something is fundamentally right about standard truth-conditional and standard suppositional views. Considerations in favor of conditional contents lead us to attribute truth-conditional contents to conditional statements; considerations in favor of the suppositional view then lead us to an unexpected account of these contents. The resulting view has a number of benefits, including a unified treatment of conditional speech acts, a plausible account of our practice of ascribing truth-values to conditional statements, a simple explanation of the apparent equivalence between probabilities of conditionals and conditional probabilities, an intuitive treatment of Gibbardian stand-offs, a plausible logic of conditionals, and an explanation of why theorizing about conditionals has proved so difficult.

*Truth and the Unprovability of Consistency*, HARTRY FIELD

It might be thought that we could argue for the consistency of a mathematical theory  $T$  within  $T$ , by giving an inductive argument that all theorems of  $T$  are true and inferring consistency. By Gödel's second incompleteness theorem any such argument must break down, but just how it breaks down depends on the kind of theory of truth that is built into  $T$ . The paper surveys the possibilities and suggests that some theories of truth give far more intuitive diagnoses of the breakdown than others do. The paper concludes with some morals about the nature of validity and about a possible alternative to the idea that mathematical theories are indefinitely extensible.

*Justifying Conditionalization: Conditionalization Maximizes Expected Epistemic Utility*, HILARY GREAVES and DAVID WALLACE

According to Bayesian epistemology, the epistemically rational agent updates his beliefs by conditionalization: that is, his posterior subjective probability after taking account of evidence  $X$ ,  $p_{\text{new}}$ , is to be set equal to his prior conditional probability  $p_{\text{old}}(X)$ . Bayesians can be challenged to provide a justification for their claim that conditionalization is recommended by rationality—whence the normative force of the injunction to conditionalize? There are several existing justifications for conditionalization, but none directly addresses the idea that conditionalization will be epistemically rational if and only if it can reasonably be expected to lead to epistemically good outcomes. The authors apply the approach of cognitive decision theory to provide a justification for conditionalization using precisely that idea. They assign epistemic utility functions to epistemically rational agents; an agent's epistemic utility is to depend both upon the actual state of the world and on the agent's credence distribution over possible states. The authors prove that, under independently motivated conditions, conditionalization is the unique updating rule that maximizes expected epistemic utility.

*Saving the Ethical Appearances*, MICHAEL RIDGE

An important worry about what Simon Blackburn has called quasi-realism is that it collapses into realism full-stop. Edward Harcourt has recently pressed the worry about collapse into realism in an original way. Harcourt



presents the challenge in the form of a dilemma. Either ethical discourse appears to ordinary speakers to express representational states or not. If the former, then expressivism means that this appearance is not saved after all, in which case quasi-realism fails in its own terms. If the latter, then we lose our grip on the idea that ordinary descriptive utterances are somehow paradigmatic assertions of fact and, with it, our ability to explain why such utterances really do express representational states. Finally, Harcourt argues that the expressivist's only hope for meeting these concerns relies on (a) a distinction between states of mind with a "world-directed" direction of fit (representational states) and those with a "state-directed" direction of fit (desire-like states), (b) the thesis that no state of mind has both directions of fit, and (c) the thesis that a state-directed direction of fit entails no truth-conditions. Previous critics have attacked (a) and (b), but Harcourt takes a novel turn and attacks (c). The challenge is a bracing one. If Harcourt is right, then the quasi-realist project inevitably destroys the very distinction in terms of which his position is cast—roughly, the distinction between beliefs and desires. The author argues that Harcourt's challenge can be met. To anticipate, the article argues that Harcourt's critique presumes that the quasi-realist's fundamental distinction is best understood semantically, whereas the author argues that it is better understood functionally.

*Character, Consistency, and Classification*, JONATHAN WEBBER

John Doris has recently argued that since we do not possess character traits as traditionally conceived, virtue ethics is rooted in a false empirical presupposition. Gopal Sreenivasan has claimed that Doris has not provided suitable evidence for his empirical claim. But the experiment Sreenivasan focuses on is not one that Doris employs, and neither is it relevantly similar in structure. The confusion arises because both authors use the phrase "cross-situational consistency" to describe the aspect of character traits that they are concerned with, but neither defines this phrase, and it is ambiguous: Doris uses it in one sense, Sreenivasan in another. Partly for this reason, the objections Sreenivasan raises fail to block the argument Doris provides. In particular, the most reliable data Doris employs, Milgram's famous study of authority, is entirely immune to Sreenivasan's objections. Sreenivasan has not shown, therefore, that Doris provides unsuitable evidence for his claim.

*Essence and Modality*, EDWARD N. ZALTA

Some recently proposed counterexamples to the traditional definition of essential property do not require a separate logic of essence. Instead, the examples can be analyzed in terms of the logic and theory of abstract objects. This theory distinguishes between abstract and ordinary objects, and it provides a general analysis of the essential properties of both kinds of object. The claim "x has F" necessarily becomes ambiguous in the case of abstract objects, and in the case of ordinary objects there are various ways to make the definition of "F is essential to x" more fine-grained. Consequently, the traditional definition of essential property for abstract objects in terms of modal notions is not correct, and for ordinary objects the relationship between essential properties and modality, once properly understood, addresses the counterexample.



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THE MONIST  
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*Genetics Engineering, Moral Autonomy, and Equal Treatment,*  
STÉPHANE COURTOIS

*Autonomy, Full Information, and Genetic Ignorance in  
Reproductive Medicine,* THOMAS MAY and RYAN SPELLECY

*Choosing Disability: 'Screening In' and the Welfare of the Child,* EVE  
GARRARD and STEPHEN WILKINSON

*Genetic Selection and Modal Harms,* ANTHONY WRIGLEY

Parfit's (1984) nonidentity problem provides a strong line of argument that we cannot be harmed by preconception choices or actions. The author argues that we can no longer appeal to the nonidentity problem in order to justify using preconception genetic screening and selection techniques as a harmless tool to determine the genetic constitution of future individuals. His criticism of the nonidentity problem is based on a rejection of the metaphysical foundations of Parfit's argument—Kripke's (1980) essentialist arguments for the necessity of origin. He offers an alternative account of modal harms based on counterpart theory such as that offered by David Lewis (1986). On this account, individuals can make legitimate harm claims in regard to preconception choices made in determining their genetic constitution by appeal to their counterparts across possible worlds.

*Dr. Frankenstein Meets Lord Devlin: Genetic Engineering and the  
Principle of Intangible Harm,* RUSSELL BLACKFORD

In the 1960s, Lord Devlin argued that "immoral" practices, by which he meant practices contrary to a society's positive morality, might properly be forbidden by law in order to protect the society against tangible and intangible harm. By "intangible harm," he meant harm to the society's shared moral fabric; Devlin claimed that any society has a fabric of ideas of right and wrong which can be damaged by the proliferation of moral divergence. In its original context of debates about homosexuality, Devlin's argument seems implausible. However, similar or analogous arguments have better prospects of success when applied to futuristic biomedical practices such as human genetic engineering. At the same time, they are likely to provide only limited comfort to those who would resist emerging practices with biomedical technology.



*Artificial Reproduction, Blood Relatedness, and Human Identity,*  
JACQUELINE A. LAING

*Genetic Information, Life Insurance, and Social Justice,* MARTIN  
O'NEILL

Significant problems of social justice are generated by the growth of genetic information, one important case being with regard to private mutual life insurance markets. Life insurance is best viewed as a "gateway social good," as it facilitates certain forms of economic and social activity, allows access to the housing market, and provides for long-term planning of a kind that would be impossible under uncontrolled levels of risk. Individuals thus have an interest in accessing their own genetic information on terms of privacy. However, privacy over this kind of genetic information would lead to the destabilization of mutual life-insurance markets. We are therefore faced with a trilemma, whereby we have either (i) to give up on individual access to medically significant genetic information; (ii) to allow problematic forms of genetic discrimination; or (iii) to move away from mutualistic forms of provision of life insurance, in favor of solidaristic solutions. This paper argues for the third horn of this trilemma.

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THE PHILOSOPHICAL QUARTERLY  
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*Intentionalism and the Imaginability of the Inverted Spectrum,*  
ERIC MARCUS

Various thought-experiments have been offered as independent support for the possibility of intentionalism-defeating spectrum inversion, but they do not succeed. The author refutes what he takes to be the four best arguments for holding that the thought-experiments do in fact provide such support: the implausible error argument, the symmetry argument, the no-inference argument, and the best theory of representation argument. The article thus offers a defense of intentionalism against a long-standing objection.

*Metaphysical Arguments against Ordinary Objects,* AMIE L.  
THOMASSON

Several prominent attacks on the objects of folk ontology argue that these would be omitted from a scientific ontology, or would be rivals of scientific objects for their claims to be efficacious, to occupy space, to be composed of parts, or to possess a range of other properties. This article examines causal redundancy and overdetermination arguments, nothing over and above appeals, and arguments based on problems with collocation and with property additivity. The author argues that these share a common problem:



applying conjunctive principles to cases in which the claims conjoined are not analytically independent. This unified diagnosis provides a way of defending ordinary objects against these common objections, while also yielding warnings about certain uses of general conjunctive principles.

*Kant's Transcendental Strategy*, JOHN J. CALLANAN

The interpretation of transcendental arguments remains a contentious issue for contemporary epistemology. It is usually agreed that they originated in Kant's theoretical philosophy and were intended to have some kind of antiskeptical efficacy. The author argues that the skeptic with whom Kant was concerned has been consistently misidentified. The actual skeptic was Hume, questioning whether the faculty of reason can justify any of our judgments whatsoever. His challenge is a skeptical argument regarding rule-following which engenders a vicious regress. Once this skeptical threat is properly identified, the prospects of transcendental arguments must be re-evaluated.

*True Emotions*, MIKKO SALMELA

Philosophers widely agree that emotions may have or lack appropriateness or fittingness, which in the emotional domain is an analog of truth. The author defends de Sousa's account of emotional truth by arguing that emotions have cognitive content as digitalized evaluative perceptions of the particular object of emotion, in terms of the relevant formal property. The article argues that an emotion is true if and only if there is an actual fit between the particular and the formal objects of emotion, and the emotion's propositional content is semantically satisfied, or the target of the emotion exists. Emotions meet the syntactic and disciplinary requirements of minimally truth-apt states. Appropriate fit occurs when lower-level properties of particular objects of emotion provide sufficient warrant to make ascription of the relevant formal properties superassertable.

*Wittgenstein and Strong Mathematical Verificationism*, CYRUS PABJVANI

Wittgenstein is accused by Dummett of radical conventionalism, the view that the necessity of any statement is a matter of express linguistic convention, that is, a decision. This conventionalism is alleged to follow, in Wittgenstein's middle period, from his "concept modification thesis," that a proof significantly changes the sense of the proposition it aims to prove. This paper argues for the assimilation of this thesis to Wittgenstein's "no-conjecture thesis" concerning mathematical statements. Both flow from a strong verificationist view of mathematics held by Wittgenstein in his middle period, and this also explains his views on the law of excluded middle and consistency. Strong verificationism is central to making sense of Wittgenstein's middle-period philosophy of mathematics.



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 PHRONESIS

Vol. 51, No. 2, May 2006

*Reading the περίτροπη: Theaetetus 170c–171c*, T. D. J. CHAPPELL

Two readings of the much-discussed περίτροπη argument of *Theaetetus* 170c–171c have dominated the literature. One the author calls the relativity reading. On this reading, the argument fails by *ignoratio elenchi* because it carelessly omits the qualifications “true for so-and-so” which [Protagoras’] theory insists on (Bostock 1988: 90). The other reading the author calls “the many-worlds interpretation.” On this view, Plato’s argument succeeds in showing that “Protagoras’ position becomes utterly self-contradictory” because “he claims that everyone lives in his own relativistic world, yet at the same time he is forced by that very claim to admit that no one does” (Burnyeat 1976b: 48). The author discusses and criticizes both readings and presents a third, according to which the point of the argument is, very roughly, that Protagoras is committed to equating truth and truth-for, and so, further, to their intersubstitutability. This further commitment proves fatal to his argument.

*Positioning Heaven: The Infidelity of a Faithful Aristotelian*, JON MCGINNIS

Aristotle’s account of place in terms of an innermost limit of a containing body was to generate serious discussion and controversy among Aristotle’s later commentators, especially when it was applied to the cosmos as a whole. The problem was that since there is nothing outside of the cosmos that could contain it, the cosmos apparently could not have a place according to Aristotle’s definition; however, if the cosmos does not have a place, then it is not clear that it could move; but it was thought to move, namely, in its daily revolution, which was viewed as a kind of natural locomotion and so required the cosmos to have a place. The study briefly outlines Aristotle’s account of place and then considers its fate, particularly with respect to the cosmos and its motion, at the hands of later commentators. To this end, it begins with Theophrastus’ puzzles concerning Aristotle’s account of place, and how later Greek commentators, such as Alexander of Aphrodisias, Themistius, and others, attempted to address these problems in what can only be described as ad hoc ways. It then considers Philoponus’ exploitation of these problems as a means to replace Aristotle’s account of place with his own account of place understood in terms of extension. The study concludes with the Arabic Neoplatonizing Aristotelian Avicenna and his novel introduction of a new category of motion, namely, motion in the category of position. Briefly, Avicenna denies that the cosmos has a place, and so claims that it moves not with respect to place, but with respect to position.



*Stoic Gunk*, DANIEL NOLAN

The surviving sources on the Stoic theory of division reveal that the Stoics, particularly Chrysippus, believed that bodies, places, and times were such that all of their parts themselves had proper parts. That is, bodies, places, and times were composed of gunk. This realization helps solve some long-standing puzzles about the Stoic theory of mixture and the Stoic attitude to the present.

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 RATIO

Vol. 19, No. 2, June 2006

*Maxims and Thick Ethical Concepts*, A. W. MOORE

The article begins with Kant's notion of a maxim and considers the role which this notion plays in Kant's formulations of the fundamental categorical imperative. This raises the question of what a maxim is, and why there is not the same requirement for resolutions of other kinds to be universalizable. Drawing on Bernard Williams's notion of a thick ethical concept, the author proffers an answer to this question which is intended neither in a spirit of simple exegesis nor as a straightforward exercise in moral philosophy but as something that is poised somewhere between the two. The aim is to provide a kind of rational reconstruction of Kant. In the final section of the essay, the author argues that this reconstruction, while managing to salvage something distinctively Kantian, also does justice to the relativism involved in what J. L. Mackie calls "people's adherence to and participation in different ways of life."

*A Critique of Frege on Common Nouns*, HANOCH BEN-YAMI

Frege analyzed the grammatical subject-term "S" in quantified subject-predicate sentences, "q S are P," as being logically predicative. This is in contrast to Aristotelian logic, according to which it is a logical subject-term, like the proper name "a" in "a is P"—albeit a plural one, designating many particulars. The author shows that Frege's arguments for his analysis are unsound, and he explains how Frege was misled to his position by the mathematical concept of function. If common nouns in this grammatical subject position are indeed logical subject-terms, this should require a thorough reevaluation of the adequacy of Frege's predicate calculus as a tool for the analysis of the logic and semantics of natural language.

*Understanding Knowledge Transmission*, PAUL FAULKNER

We must allow that knowledge can be transmitted, but to allow this is to allow that an individual can know a proposition despite lacking any evidence for it and reaching belief by an unreliable means. So some explanation is re-



quired as to how knowledge rather than belief is transmitted. The author considers two nonindividualistic explanations: one in terms of knowledge existing autonomously, the other in terms of it existing as a property of communities. He attempts to decide what is at issue between these explanations.

*Semantic Externalism and A Priori Self-Knowledge*, JUSSI HAULKIOJA

The argument known as the McKinsey Recipe tries to establish the incompatibility of semantic externalism (about natural kind concepts in particular) and a priori self-knowledge about thoughts and concepts by deriving from the conjunction of these theses an absurd conclusion, such as that we could know a priori that water exists. One reply to this argument is to distinguish two different readings of "natural kind concept": (i) a concept which in fact denotes a natural kind, and (ii) a concept which aims to denote a natural kind. Paul Boghossian has argued, using a Dry Earth scenario, that this response fails, claiming that the externalist cannot make sense of a concept aiming, but failing, to denote a natural kind. In this paper the author argues that Boghossian's argument is flawed. Borrowing machinery from two-dimensional semantics, using the notion of "considering a possible world as actual," the author claims that we can give a determinate answer to Boghossian's question: which concept would "water" express on Dry Earth?

*Possible Evils*, ALLAN HAZLETT

The author considers an objection to Lewisian modal realism: the view entails that there are a great many real evils that we ought to care about, but in fact we shouldn't care about these evils. He replies on behalf of the modal realist—we should and do care about possible evils, and this is shown in our reactions to fictions about evils, which (plausibly, for the modal realist) are understood as making certain possible evils salient.

*Natural Goodness and Natural Evil*, JOSEPH MILLUM

In *Natural Goodness* Philippa Foot gives an analysis of the concepts we use to describe the characteristics of living things. She suggests that we describe them in functional terms, and this allows us to judge organisms as good or defective depending on how well they perform their distinctive functions. Foot claims that we can judge intentional human actions in the same way: the virtues contribute in obvious ways to good human functioning, and this provides us with grounds for making moral judgments. This paper criticizes Foot's argument by challenging her notion of function. The author argues that the type of judgment she makes about living things requires an evolutionary biological account of function. However, such an account would render her metaethical claims implausible, since it is unlikely that human beings are adapted to be maximally virtuous. The author concludes that Foot is wrong about the logical structure of our judgments of human action.



*Evans's Anti-Cartesian Argument: A Critical Evaluation*, ANNE  
NEWSTEAD

This paper evaluates the anti-Cartesian argument given by Evans in chapter seven of *The Varieties of Reference*. It focuses on Evans's claim that bodily awareness is a form of self-awareness. The apparent basis for this claim is the datum that sometimes judgments about one's position based on body sense are immune to errors of misidentification. However, Evans's argument suffers from a crucial ambiguity. Once disambiguated, it turns out that Evans's argument either begs the question against the Cartesian or fails to be plausible. Nonetheless, the argument is important for drawing our attention to the idea that bodily modes of awareness should be taken seriously as possible forms of self-awareness.

*Actions, Habits, and Constitution*, BILL POLLARD

This paper offers a critique of the view, made popular by Davidson, that rationalization is a species of causal explanation, and it proposes instead that in many cases the explanatory relation is constitutive. Given Davidson's conception of rationalization, which allows that a huge range of states gathered under the heading "pro attitude" could rationalize an action, the author argues that while the causal thesis may have some merit for some such attitudes, it has none for others. The problematic attitudes are those which can be attributed to the agent only on the basis of his history of doing a certain sort of thing. In other words, they are among the agent's habits. The author argues that such temporally extended states cannot be the causes of any present occurrence. Instead, he suggests we should think of the present action as partly constituting the state in question, and he gives a corresponding interpretation of the explanatory relation. Such explanations invite us to abandon a conception of agency narrowly based on psychology, in favor of an enriched one which takes an agent's habits partly to constitute the agent.

*The Moral Belief Problem*, NEIL SINCLAIR

The moral belief problem is that of reconciling expressivism in ethics with both minimalism in the philosophy of language and the syntactic discipline of moral sentences. It is argued that the problem can be solved by distinguishing minimal and robust senses of belief, where a minimal belief is any state of mind expressed by sincere assertoric use of a syntactically disciplined sentence, and a robust belief is a minimal belief with some additional property R. Two attempts to specify R are discussed, both based on the thought that beliefs are states that aim at truth. According to the first, robust beliefs are criticizable to the extent that their content fails to match the state of the world. This sense fails to distinguish robust beliefs from minimal beliefs. According to the second, robust beliefs function to have their content match the state of the world. This sense succeeds in distinguishing robust beliefs from minimal beliefs. The conclusion is that the debate concerning the cognitive status of moral convictions needs to address the issue of the function of moral convictions. Evolutionary theorizing may be relevant, but will not be decisive in answering this question.



## ***DOCTORAL DISSERTATIONS 2005–2006\****

*University of Alberta*

(39) (36) (15)

VLADAN DJORDJEVIC, "Counterfactuals." Adviser: Bernard Linsky.

ANNA KESSLER, "Rational Hope in Kant's Moral Religion." Adviser: Robert Burch.

LI LI, "The Problem of Exportation for Dynamically Holistic Systems." Advisers: Alexander Rueger and W. David Sharp.

PATRICK MCGIVERN, "Physicalism, Compositionality, and Parenthood: A Perspective from the Physical Sciences." Adviser: Alexander Rueger.

*Binghamton University*

(28) (28) (11)

DESIRE MELTON, "Existential Disappointment: A Sociopolitical Theory of Black Visibility." Adviser: Lisa Tessman.

*Boston College*

(128) (97) (25)

ERIC BROWN, "Reason's Contextualism." Advisers: David Rasmussen and Richard Cobb-Stevens.

LAWRENCE DAKA, "Towards a Human Empowerment Approach to Justice: An Appropriation of Amartya Sen's Capability Approach with Particular Reference to the Zimbabwe Land Reform." Advisers: David Hollenbach and David Rasmussen.

COREY W. DYCK, "Kant and the Leibnizian Conception of Mind." Advisers: Susan Shell and Richard Cobb-Stevens.

NEAL W. LEAVITT, "Reflections on the Environment and the First Person Point of View." Advisers: Richard Cobb-Stevens and David Rasmussen.

JOHN K. O'CONNOR, "Husserl's Idealisms and the Avoidance of *Metabasis eis allo Genos*." Advisers: Richard Cobb-Stevens and John Drummond.

CHARLES ONYANGO ODUKE, "Lonergan's Notion of Cosmopolis: A Study of a Higher Viewpoint and a Creative Framework for Engaging Individual and Social 'Biases' with Special Reference to Socio-Political Challenges of Kenya and the Continent of Africa." Advisers: Patrick H. Byrne and Frederick Lawrence.

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\*The three figures below each institution's name refer to (1) the number of graduate students enrolled in its philosophy department, (2) the number of "full-time" graduate students as the term is understood by the institution, and (3) the number of faculty members teaching in the graduate program.



SERENA PAREKH, "The Phenomenological Analysis of Human Rights in the Work of Hannah Arendt." Advisers: James Bernauer and Jacques Taminiaux.

PHILLIP STAMBOVSKY, "Influence and Reason: An Onto-Epistemological Essay." Advisers: Oliva Blanchette and Ronald K. Tacelli.

JOSEPH L. TADIE, "Between Humilities: A Retrieval of Saint Thomas Aquinas on the Virtue of Humility." Advisers: Thomas Hibbs and Joseph Flanagan.

*Bowling Green State University*

(36) (31) (13)

RUSSELL DISILVESTRO, "Capacities and Moral Status." Adviser: Raymond G. Frey.

BENJAMIN DIXON, "Toward a Leopoldian Theory of Moral Progress." Adviser: Donald Scherer.

JASON GATLIFF, "Terrorism and Just War Tradition: Issues of Compatibility." Adviser: Donald Scherer.

JASON GRINNELL, "Biology, Policy, and the Racial Contract." Adviser: Michael Bradie.

PAMELA PHILLIPS, "Beyond Subjective Well-Being." Adviser: Fred Miller.

AARON SIMMONS, "The Basic Moral Rights of Non-Human Animals." Adviser: Raymond G. Frey.

*University of British Columbia*

(34) (34) (15)

MARTIN GODWYN, "A Defence of Extended Cognitivism." Adviser: Mohan Matthen.

DUSTIN STOKES, "Minimal Creativity: A Cognitive Model." Adviser: Dominic Lopes.

*Brown University*

(32) (27) (14)

DEREK ETTINGER, "Making Sense of Things." Adviser: Ernest Sosa.

SIMON FELDMAN, "Reasons and the Limits of Morality." Adviser: James Dreier.

LILIAN O'BRIEN, "A Non-Causalist Theory of Rationalization." Adviser: Jaegwon Kim.

JOHN TURRI, "Epistemic Reasons." Adviser: Ernest Sosa.



*University at Buffalo*  
(43) (41) (17)

- GEORGE BACKEN, "A Defense of Moral Sentiment Retributivism." Adviser: Randall Dipert. (Awarded in 2005)
- SUCK CHOI, "Mind and Virtue in Zhu Xi's Neo-Confucianism." Adviser: Jiyuan Yu. (Awarded in 2005)
- JEFFREY DUECK, "Ways of Life: Their Nature and Justification." Adviser: Peter H. Hare. (Awarded in 2005)
- FABIO ESCOBAR, "Phenomenology of Personality." Adviser: Kah Kyung Cho.
- SCOTT HARRIGAN, "The Exception Proves the Rule: The Problem of Moral Exceptions in Kantian Morality." Adviser: James Lawler. (Awarded in 2005)
- ROSE KOCH, "A Hylomorphic Account of the Origin of the Human Being at Fertilization." Adviser: David Hershenov. (Awarded in 2005)
- LARRY TORCELLO, "After MacIntyre: Rawls, Engelhardt, and the Limits of Reason in a Morally Pluralistic Society." Adviser: David Hershenov.
- LOWELL VIZENOR, "Corporate Being: A Study in Realist Ontology." Adviser: Barry Smith. (Awarded in 2005)

*University of Calgary*  
(28) (28) (19)

- MIRI ALBAHARI, "The Two-Tiered Illusion of Self." Adviser: John Arthur Baker.
- MARIN MAUDE JOSETTE GILLIS, "The Human Stem Cell Debate and the Commodification of Women: Ethical Considerations." Adviser: Dennis Earl McKerlie.
- JESSE LOVE HENDRIKSE, "Explanation and Inheritance." Adviser: Marc Franklin Ereshefsky.
- GREGORY ADDISON JANZEN, "The Reflexive Nature of Consciousness." John Arthur Baker.

*University of California, Berkeley*  
(45) (45) (16)

- DAVID BERGER, "Kant's Distinction Between the Beautiful and the Agreeable." Adviser: Hannah Ginsborg.
- HUI-CHIEH LOY, "The Moral Philosophy of the Mozi 'Core Chapter'." Adviser: Hans Sluga.
- BENCE NANAY, "How Animals See the World: A Theory of Content for Action-Oriented Perceptual States." Adviser: John Searle.
- SHOSHANA SMITH, "Clear and Distinct Perception in Descartes." Adviser: Janet Broughton. (Awarded in 2005)
- WAYNE WU, "What's Attention got to do with Action?" Adviser: John Searle. (Awarded in 2005)



*University of California, Davis*  
(25) (19) (13)

*University of California, Irvine*  
(32) (32) (12)

MARC BAER, "The Primacy of Virtue in Virtue Ethics." Adviser: Nicholas White.

NOA SHEIN, "The Structure of Spinoza's Metaphysics: Attributes, Finite Minds, and the Infinite Intellect." Adviser: Alan Nelson.

*University of California, Riverside*  
(37) (36) (17)

MATT TALBERT, "Moral Reasons and Personal History: A Normative Competence Account of Moral Responsibility." Adviser: Gary Watson.

RICO VITZ, "Virtuous Belief: Descartes, Hume, and the Proper Method of Belief Formation." Adviser: Paul Hoffman.

*University of California, Santa Barbara*  
(33) (33) (11)

FRANCIS HENRY ALLHOFF, "Evolution and Ethics: The Moral Significance of Natural Selection." Adviser: Matthew Hanser.

RICHARD MARTIN GLATZ, "The Abilities We Have, the Choices We Make, and the Stains We Sustain." Adviser: Anthony Brueckner.

JOHN-MICHAEL KUCZYNSKI, "The Moral Structure of Legal Obligation." Adviser: Burleigh Wilkins.

*The Catholic University of America*  
(133) (133) (19)

CHAD ANTHONY ENGELLAND, "Heidegger on Judgment in Leibniz and Kant: Overcoming Rationalism through Transcendental Philosophy." Adviser: Richard Velkley.

JOHN RICHARD GRIECO, "An Analysis of St. Thomas Aquinas's 'Third Way'." Adviser: John Wippel.

CHARLES CRAWFORD MCCARTHY, "Gabriel Marcel's Reflections on Ethics and Human Flourishing." Adviser: Richard Hassing. (Awarded in 2005)

MICHAEL HECTOR STORCK, "St. Thomas Aquinas on the Presence of the Elements in Living Substances." Adviser: Riccardo Pozzo. (Awarded in 2005)



*University of Cincinnati*  
(21) (16) (12)

- A. LELAND MORTON, "Making It Intelligible: An Historical Approach to Understanding Intelligibility in the Assessment of Scientific Theories." Adviser: Robert C. Richardson.
- MICHAEL L. PARKER, "Sex and the Soul: Plato's Equality Argument in the *Republic*." Adviser: Lawrence Jost.
- MICHAEL SONTAG, "Emotion and the Labeling Process." Adviser: Jenefer Robinson.

*City University of New York*  
(155) (130) (40)

- LEONIDAS BOURSITSAS, "The Paradox of Freedom and the Old Rivalry between Philosophy and Politics." Adviser: Steven Cahn. (Awarded in 2005)
- FRITZ MacDONALD, "Truth and Moral Discourse." Adviser: Paul Horwich.
- WILLIAM SEELRY, "The Neurophysiology of Aesthetic Experience: Three Case Studies." Adviser: David Rosenthal. (Awarded in 2005)
- DENA SHOTTENKIRK, "The Effects of Nelson Goodman's Nominalism on His Aesthetics." Adviser: Frederick Purnell. (Awarded in 2005)
- JEFFREY STEPHENSON, "Mischief as a Virtue." Adviser: Virginia Held.
- CHRISTINE VITRANO, "The Structure of Happiness." Adviser: Steven Cahn.
- JULIE ZILBERBERG, "The Ethics of Sex Selection." Adviser: Virginia Held.

*University of Colorado*  
(62) (60) (22)

- JOHN HARRIS, "Moral Indeterminacy and the Specification of Political Obligation." Adviser: David Boonin. (Awarded in 2005)
- HEIDI PETERSEN, "The Relevance of the Animal Liberation Movement to Environmental Ethics." Adviser: Alison Jagger.
- MATHEW ROBERTS, "A Historical Survey and Conceptual Theory of States of Affairs." Adviser: Michael Tooley.

*Columbia University*  
(50) (30) (15)

- JOHN BRUNERO, "Essay on Practical Reason and Instrumental Probability." Adviser: Joseph Raz.
- CHRISTOPHER HAUF, "Evolutionary Psychology and the Future of Evolutionary History." Adviser: Philip Kitcher.
- ARNON KERNAN, "Testimony, Science and The Social: Obtaining Knowledge from Authorities." Adviser: Philip Kitcher.
- MATTHEW SLATER, "The Nature of Kinds." Adviser: Achille Varzi.



IVAN WELTY, "Frege Against Hilbert on the Foundation of Geometry." Adviser: Haim Gaifman.

*University of Connecticut*  
(29) (29) (17)

*Cornell University*  
(42) (38) (16)

ERIC N. GILBERTSON, "Modal Knowledge." Adviser: Zoltán Szabó.  
KAREN M. NIELSEN, "Aristotle's Theory of Decision." Adviser: Terence Irwin.

*Emory University*  
(57) (57) (16)

MICHAEL BUCKLEY, "Political Constructivism and Global Justice: Rethinking International Relations." Adviser: Nicholas Fotion.  
LINA BUFFINGTON, "Raising Athena: Reclaiming the Child Self through Practical Hermeneutics." Adviser: Cynthia Willett.  
TRAVIS FOSTER, "Mereological Dissatisfaction: The Modal-Teleological Link in Hegel's Science of Logic." Adviser: Donald Verene.  
ANTHONY JENSEN, "Friedrich Nietzsche and the Psychology of Antiquity." Adviser: Steven Strange.  
KAREEM KHALIFA, "The Social Context of Scientific Explanation." Adviser: Mark Risjord.

*Florida State University*  
(52) (35) (15)

JEREMY KIRBY, "Material Migration and Aristotelian Metaphysics." Adviser: Russell Dancy. (Awarded in 2005)  
THOMAS NADELHOFFER, "Intentions and Intentional Actions in Ordinary Language and the Criminal Law." Adviser: Alfred Mele. (Awarded in 2005)

*Fordham University*  
(85) (80) (23)

MEREDITH E. GUNNING, "About Face: Altered States of Subjectivity in Levinas." Adviser: Merold Westphal.  
MATTHEW A. KENT, "Prime Matter According to St. Thomas Aquinas." Adviser: Joseph Koterski.



- KATHERINE E. KIRBY, "The Ethical Priority of Infinite Obligation: Levinasian Vulnerability as the Condition for the Possibility of Virtue." Adviser: Merold Westphal.
- BARBARA LOWE, "Beyond Recognition: A Feminist-Pragmatist Account of Esthetic Moral Agency." Adviser: Judith Green.
- STEPHEN MINISTER, "Sizing Up Infinite Alterity: The Possibility of a Levinasian Practical Ethics." Adviser: Merold Westphal.
- YUTAKA SHIMADA, "Lonergan's Critical Realism, Isomorphism, and Metaphysics of Proportionate Being in Insight: An Encounter with the Critical Problem of Knowledge." Adviser: James Marsh.
- JOHN J. STEFANCYZK, "St. Thomas Aquinas's Confrontation with Neoplatonic Thought in Three Commentaries and in the Treatise on Separate Substances." Adviser: Joseph Koterski.

*University of Georgia*

(19) (17) (12)

- NANCY MICHELE WILLIAMS, "Cultural Membership, Moral Responsibility, and Inquiry." Adviser: Victoria M. Davion.

*University of Illinois at Urbana-Champaign*

(40) (36) (15)

- PETER M. ASARO, "On the Origins of the Mind: Working Models, Mechanisms and Simulations." Adviser: Steven Wagner.

*University of Iowa*

(26) (26) (9)

- PETER BEZANSON, "Idealism: A Brief History, Taxonomy, and Nietzschean Evaluation." Advisers: Laird Addis and David Cuning.
- ANNEMARIE PEIL, "Hume's Account of Causation and its Applications." Advisers: Philip Cummins and Richard Fumerton.
- ELI (AMY) TRAUTWEIN, "A Neurophilosophical Study of the Taxonomy and Epistemology of Memory." Adviser: Richard Fumerton.

*University of Kansas*

(35) (35) (12)

*University of Kentucky*

(33) (28) (14)

- GREIG MULBERRY, "Objectivity and Truth in Heidegger and Gadamer." Adviser: Theodore Schatzki.



MURRAY SKEES, "The Dialectic of Digitality: Rationalization in the Era of Late Capitalism." Adviser: Theodore Schatzki.

ERIC SMAW, "Rational Social Constructivism as the Proper Justification for Human Rights." Advisers: Christopher Zurn and Joan Callahan.

*Loyola University Chicago*  
(100) (62) (30)

AARON BUNCH, "The Coherence of Kant's Three Critiques." Adviser: Adriaan Peperzak.

CAROLE HEATH, "Scarcity—Two Alternative Conceptions of the Self: An Historical and Conceptual Analysis." Adviser: David Ozar.

AARON REPPMANN, "The Truth of Love and the Love of Truth: The Philosophical Relevance of *Eros* and *Philia* in Plato's *Lysis*, *Phaedrus*, and *Symposium*." Adviser: Adriaan Peperzak.

ADRIAN SWITZER, "Kant and the Completeness of Metaphysics: The Aristotelianism of the *Usus Rerum Intellectualium*." Adviser: Andrew Cutrofello.

*Marquette University*  
(54) (43) (25)

JACON HELD, "Is There a Future for Marxist Humanism?" Adviser: James South.

LI JING, "Self-Love and Morality: Beyond Egoism and Altruism." Adviser: Nancy Snow.

GINGER LEE, "David Hume and the Principle of Sufficient Reason." Adviser: William Starr.

MATTHEW PIERLOTT, "The Principle of Alternate Possibilities: Finding Freedom after Frankfurt." Adviser: Anthony Peressini.

*University of Maryland*  
(58) (40) (23)

MICHAEL J. TETZLAFF, "Bee-ing There: The Systematicity of Honeybee Navigation Supports a Classical Theory of Honeybee Cognition." Adviser: Georges Rey.

*University of Massachusetts*  
(42) (42) (14)

THOMAS J. BELL II, "Vagueness." Adviser: Phillip Bricker.

MARCY LASCANO, "Leibniz and Locke on the Ultimate Origination of Things." Adviser: Vere Chappell.



*Massachusetts Institute of Technology*  
(29) (29) (10)

BERNHARD NICKEL, "Truth in Explanation." Advisers: Edward Hall, Robert Stalnaker, and Stephen Yablo.

*McGill University*  
(21) (21) (21)

TRACEY NICHOLLS, "Aesthetic Value(s), Avant-Garde Art, and the Problems of Theory Choice." Advisers: Eric Lewis and Marguerite Deslauriers.

BRYAN SMYTH, "On the Problem of Exupérian Heroism in Merleau-Ponty's Phenomenology of Perception." Advisers: George di Giovanni and R. Philip Buckley.

BRIAN VAN DEN BROEK, "What is Constant in Logic?" Advisers: Michael Hallett and Emily Carson.

*McMaster University*  
(39) (38) (13)

MICHAEL GUIDICE, "The Significance of Contingent Relations in the Philosophy of Law." Advisers: Will Waluchow, Renato Cristi, and Elisabeth Gedge.

COLIN KOOPMAN, "Requiem for the Politics of Certainty: Pragmatism, Democracy, Hope." Advisers: Barry Allen, Allison Weir, and Gary Madison.

ELIZABETH SKAKOON, "The Recovery Project and Artifactual Ecology: A New Direction for Environmental Thought." Advisers: Barry Allen, Stephen Haller, and Vera Chouinard.

*University of Memphis*  
(46) (44) (14)

JILL GRAPER HERNANDEZ, "Impermissibility, Moral Worth, and the Normative Sources of Action." Adviser: Sarah Clark Miller.

BETHANY M. DUNN, "Rethinking Hobbesian Power: A Critical Engagement with Arendt, Foucault, and Agamben." Adviser: Robert L. Bernasconi.

*University of Miami*  
(23) (21) (9)

SHERON FRASER BURGESS, "How Can a Multicultural Society Educate Its Members for Pluralism." Adviser: Harvey Siegel.

HSI-HENG CHENG, "A Peircean Theory of Real Kinds." Adviser: Susan Haack.



*University of Michigan*  
(42) (42) (19)

- REMY DEBES, "Empathic Justification: The Value of Interpersonal Viewpoints and Affective Unity in the Normative Assessment of Emotion." Advisers: Stephen Darwall and J. David Velleman.
- HANNA KIM, "Context, Compositionality, and the Myth of Metaphor." Advisers: Peter Ludlow and Jason Stanley.
- CAROLE LEE, "Rationality as Methodology, Aim, and Explanation in Philosophy and Psychology." Advisers: Elizabeth Anderson and James Joyce.

*Michigan State University*  
(44) (42) (17)

- JENNIFER BENSON, "Towards a New Radical Feminist Vision: Navigating the Passage From Oppression to Freedom." Adviser: Marilyn Frye. (Awarded in 2005)
- BARRY DECOSTER, "Towards a Pragmatic Theory of Medical Explanations of Disease." Adviser: Fred Gifford. (Awarded in 2005)
- JOHN MARIANA, "The Indispensability of Metaphysical Realism." Adviser: Debra Nails.

*University of Minnesota*  
(46) (39) (20)

- MICHAEL P. BROWN, "Matters of Conscience: Justice and Protest in Society." Advisers: Sarah Holtman and Douglas Lewis.
- JAIME E. HOFFMAN, "Depression, Narratives, and the Self." Advisers: Douglas Lewis and Valerie Tiberius.
- PETER SHEA, "The Arguments of Their Lives: A Role for Lives in Moral Reflection and Moral Teaching." Adviser: John Wallace.

*Université de Montréal*  
(175) (95) (23)

- TANIA BASQUE, "Le concept phénoménologique dans *Sein und Zeit* et les Marburger Vorlesungen de 1923 à 1926 de Heidegger." Adviser: Claude Piché.
- JACQUES BILLETTE, "Leibniz et le principe de inertie." Adviser: François Duchesneau.
- VINCENT CAMARDA, "Leibniz et la controverse sur les natures plastiques." Adviser: François Duchesneau.
- MARTIN PROVENCHER, "Hannah Arendt et la faculté de juger." Adviser: Daniel Weinstock.



*University of Nebraska*  
(25) (22) (11)

- CLAYTON LITTLEJOHN, "All the Reason in the World." Adviser: Mark van Roojen. (Awarded in 2005)  
STEVE ODMARK, "The Metaphysics of Virtue." Adviser: Robert Audi. (Awarded in 2005)

*University of New Mexico*  
(26) (26) (13)

- CHRISTOPHER FRAMARIN, "Motivation with Renunciation: The Disregarding of Desire in Indian Philosophy." Adviser: G. F. Schueler.

*New York University*  
(36) (29) (25)

- PETER GRAHAM, "Blame, Determinism, and Ignorance." Adviser: Elizabeth Harman.  
JOSHUA SCHECHTER, "Two Challenges to the Objectivity of Logic." Adviser: Hartry Field.  
JEREMY ROSENBAUM SIMON, "Medical Ontology: Approaches to the Metaphysics of Medicine." Adviser: William Ruddick.

*University of North Carolina, Chapel Hill*  
(40) (36) (26)

- MATTHEW CHRISMAN, "Ethical and Epistemic Expressions." Advisers: Geoff Sayre-McCord, Jay Rosenberg, William Lycan, Jesse Prinz, and Jerry Postema.  
TY RATERMAN, "Preferences, Well-being, and Value." Advisers: Doug MacLean, Thomas Hill, Susan Wolf, David Reeve, and Pete Andrews.

*Northwestern University*  
(32) (21) (9)

- JOE CANNON, "Feeling and Judgment in Kant: Aesthetic Judgment, Practical Judgment and the Creation of Beauty in Art." Adviser: Terry Pinkard.  
VINCENT CHIAO, "Self Knowledge Between Decision and Discovery." Adviser: Axel Mueller.  
JEFFREY FLYNN, "Human Rights and Cultural Diversity: Rawls, Taylor, Habermas." Adviser: Thomas McCarthy.  
SAMIR HADDAD, "Derrida, Arendt, and the Inheritance of Democracy." Adviser: David Levin.



SEBASTIAN RAND, "From 'A Priori' Grounding to Conceptual Transformation: The Philosophy of Nature in German Idealism." Adviser: Terry Pinkard.

STEVEN SKULTETY, "The Role of Conflict in Aristotle's Political Philosophy." Adviser: Richard Kraut.

*University of Notre Dame*

(70) (70) (44)

THAD BOTHAM, "Rendering Free Will Intelligible: A Defense of Agent-Causation." Advisers: Alvin Plantinga and Thomas Flint.

ELDON FRANKLIN COFFMAN JR., "An Essay on the Logic of Warrant." Advisers: Alvin Plantinga and Ted Warfield.

CHRISTOPHER GREEN, "The Epistemic Parity of Testimony, Memory, and Perception." Advisers: Alvin Plantinga and Michael DePaul.

STEPHEN R. GRIMM, "Understanding as an Epistemic Goal." Advisers: Michael DePaul and Ted Warfield.

BENJAMIN HUFF, "Friendship and the Shared Life of Virtue." Adviser: David O'Connor.

MARK NATHAN JENSEN, "A Theory of Civil Society." Adviser: Paul Weithman.

MATTHEW JOHN KENNEDY, "Second Naivete: Essays on the Structure of Experience." Advisers: Michael Loux and Leopold Stubenberg.

WARREN SHRADER, "The Metaphysics of Ontological Emergence." Advisers: Alvin Plantinga and Ted Warfield.

REBECCA LYNN STANGL, "A Principled Sensibility: Rules and the Life of the Virtues." Adviser: David Solomon.

MITCHELL STOKES, "Quinean Meta-ontology and Fictionalism." Advisers: Alvin Plantinga and Peter van Inwagen.

*Ohio State University*

(37) (37) (21)

JULIAN COLE, "Practice-Dependent Realism and Mathematics." Adviser: Stewart Shapiro.

WILLIAM MELANSON, "Justified Existential Belief: An Investigation of the Justifiability of Believing in the Existence of Abstract Mathematical Objects." Advisers: Stewart Shapiro and George Pappas.

WILLIAM ROCHE, "The Structure and Grounding of Epistemic Justification." Adviser: George Pappas.

JOSHUA SMITH, "A Relevant Alternatives Account of Knowledge." Adviser: George Pappas.



*University of Oregon*  
(46) (46) (11)

- JOHN SALVATORE CAPACCIO, "Blood and Soil: An Examination of the Authority of Tradition." Adviser: John Lysaker.
- KIMBERLY K. CARCHAR, "A Dying Community: A Roycean Critique of the Medical Community at the End of Life." Adviser: Scott Pratt.
- JENA GRACE JOLISSAINT, "Receiving Socrates' Banquet: Plato, Schelling and Irigaray on Nature and Sexual Difference." Adviser: Peter Warnek.
- CHAONE L. MALLORY, "Subject to the Laws of Nature': Ecofeminism, Representation, and the Politics of Subjectivity." Adviser: John Lysaker.
- JENNIFER KRISTEN McWEENY, "Knowing Emotions: Emotional Intentionality and Epistemological Sense." Adviser: Mark Johnson.
- LISA MICHELLE YOUNT, "Remembrance, Representation, and Feminism: Toward a Politics of Memorial Curation." Adviser: Naomi Zack.

*University of Ottawa*  
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- JAMES ATKINSON, "Sub Specie Aeterni: The Mystical in the Early Writings of Ludwig Wittgenstein." Adviser: Paul Forster.
- SIMON BEAUDOIN, "L'usage satisfaisant du langage et l'authenticité: Austin, Grice, Jacques et Ricoeur, la rencontre de deux traditions." Adviser: Vance W. Mendenhall.
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- RAJESH SHUKLA, "Friendship: Bridging the Gap Between Self and Other." Adviser: Hilliard Aronovitch.

*The Pennsylvania State University*  
(34) (28) (12)

- DANIEL G. CAMPOS, "The Discovery of Mathematical Probability Theory: A Case Study in the Logic of Mathematical Inquiry." Advisers: Douglas R. Anderson and Emily Grosholz.
- AMY WENDLING, "On Alienation and Machine Production: Capitalist Embodiment in Karl Marx." Adviser: Daniel W. Conway.
- CORY WIMBERLY, "Strategic Self Care: Foucault's Final Work and the Pursuit of Practices of Freedom." Adviser: Charles Scott.



*University of Pittsburgh*  
(59) (54) (17)

- DAVID BERGER, "Inhabiting the Epistemic Frame of Mind: Plato's *Protagoras* and the Socratic Denial of *Akrasia*." Adviser: James Allen.  
 MATTHEW BOYLE, "Kant and the Significance of Self-Consciousness." Adviser: John McDowell.  
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 STEPHEN PURYEAR, "Perception and Representation in Leibniz." Adviser: Nicholas Rescher.

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- BORIS C. KMENT, "A Theory of Counterfactuals and a Counterfactual Theory of Necessity." Adviser: Gideon Rosen.  
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- BERTHA ALVAREZ MANNINEN, "When Does a Human Being Gain a Moral Right to Life?: An Ethical and Metaphysical Study of Abortion and Embryonic Stem Cell Research." Adviser: Martin Curd.  
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*Queen's University*  
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*University of Rochester*  
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ANDREW M. CULLISON, "Foundation Moral Knowledge." Adviser: Richard Feldman.

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KEVAN EDWARDS, "Referentialism without Compromise." Adviser: Jerry Fodor.

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JONATHAN WEISBERG, "Credence and Credibility: Taking the Common Sense Approach to Probabilistic Epistemology." Adviser: Barry Loewer.

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JONATHAN BOWMAN, "The European Union Democratic Deficit: Habermas, Pragmatism, and Multiperspectival Theory." Adviser: James Bohman.

MICHAEL ROTA, "Causation in Contemporary Metaphysics and in the Thought of Thomas Aquinas." Adviser: Eleonore Stump.

STEPHEN SNYDER, "Hegel, Nietzsche and Danto on the End of Art: A Critique of the End of Art." Adviser: William Charron.

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*University of South Florida*  
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*Southern Illinois University*  
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CORY MCCALL, "Indeterminacies of the Present: Heidegger and the Philosophical Significance of Curiosity." Adviser: Stephen Tyman. (Awarded in 2005)

LUCIAN STONE, "Blessed Perplexity: The Topos of Hayrat in Farid al-Din Attar's Mantiq al-Tayr." Adviser: Anthony J. Steinbock. (Awarded in 2005)

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CRAIG HANSON, "Addition: Rationality and Responsibility." Advisers: Edward McClennen and Michael Stocker.

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SCOTT SHROUD, "John Dewey on Aesthetics and Moral Cultivation." Adviser: Paul Taylor.

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(40) (35) (10)

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(72) (66) (28)

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GARDAR ARNASON, "The Politics of Truth. A Critique of Science and Power with Constant Reference to Michel Foucault." Adviser: André Gombay.  
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REBEKAH MAE JOHNSTON, "*Dunamis* in Book IX of Aristotle's *Metaphysics*: The Sphere of Motion and the Sphere of Being." Adviser: Lloyd P. Gerson.  
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- HELGA VARDEN, "The Liberal Ideal of Political Obligations: The Lockean Voluntarist vs. Kant's Non-Voluntarist Ideal of Political Obligations." Adviser: Arthur S. Ripstein.
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- JOEL VINCENT WALMSLEY, "Mind out of Time: Emergence and Explanation in Dynamical Cognitive Science." Adviser: Brian Cantwell Smith.
- MARIKA DAWN WARREN, "Beyond Autonomy: Justifying Equality Rights for People with Cognitive Disabilities." Adviser: L. Wayne Sumner.
- BRANDON SCOTT WATSON, "Reason and the External World: Malebranche's Account of our Knowledge of the Existence of Bodies." Adviser: Donald Ainslie.

*Tulane University*  
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- JONNY ANOMALY, "An Internalist Theory of Practical Reasons." Adviser: Gerald Gaus.

*University of Virginia*  
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- SHAIKHA YOUSIF BINJASIM, "Nonexistent Objects as Patterns of Properties." Adviser: Mitchell Green.
- BRIAN K. POWELL, "A Critique of Practical Reason Foundationalism." Adviser: Talbot Brewer.

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- STEPHANIE PATRIDGE, "Should We Feel Bad About Feeling Good about Immoral Art? An Argument in Favor of Minimal Moralism." Advisers: Ronald Moore and Paul Taylor.

*University of Waterloo*  
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- JEFF BROWN, "Offensive Ethics: Alternity and Alternative Modes of Philosophical Discourse." Adviser: Richard Holmes.



*Wayne State University*  
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*University of Western Ontario*  
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- ROBIN BLUHM, "The Hierarchy of Evidence and EBM." Adviser: John Nicholas.  
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 DARIN PEAKER, "Locke's Direct Realism." Adviser: Robert Muehlmann.  
 DWAYNE RAYMOND, "Qua." Adviser: John Thorp.

*University of Wisconsin*  
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- VITOR MOURA, "In Search for the Wrong Currency: A Theory of Metaphoric Experience." Adviser: Noel Carroll.  
 ALAN RUBEL, "A Philosophic Account of Privacy." Adviser: Claudia Card.  
 AARON SMUTS, "Laughing at Art: Humor, Art, and Morality." Adviser: Noel Carroll.

*Yale University*  
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- MICHAEL BARNWELL, "Sins of Negligent Omission: A Study of Ancient and Medieval Views on the Relation Between the Intellect and the Will." Advisers: Marilyn Adams, and Michael Della Rocca.  
 SAMUEL NEWLANDS, "Spinoza's Intensionalist Metaphysics: The Convergence of Metaphysical and Moral Perfection." Adviser: Michael Della Rocca.

*York University*  
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- DARREN DOMSKY, "Extending Beyond Ethical Extensionism: A Search for the Most Plausible Theoretical Basis for any Non-Anthropocentric, Non-Sentientist Environmental Ethic." Adviser: Robert Myers.  
 RICHARD FRIEMANN, "Intractable Quarrels in Argumentation Theory: Integrating Argument and Therapy." Adviser: Michael Gilbert.  
 MATTHEW KING, "Being and Fittingness: Heidegger and Happiness." Adviser: Sam Mallin.  
 RAMSEY McNABB, "Induction and Moral Particularism: A Bottom-up Approach to Moral Thought." Adviser: Robert Myers.



SLOBODAN PEROVIC, "Ontologies for the Complex Physical World: Holism, Emergence and Physicalist Dualism." Adviser: Jagdish Hattiangadi.

LJILIANA RADENOVIC, "The Roots of Empathy: Toward an Integrative Model of Empathic Development." Adviser: Stuart Shanker.

KEI YOSHIDA, "Towards a Rational Philosophy of the Social Sciences: Interpretivism and the Rationality of Other Cultures." Adviser: Ian Jarvie.



***VISITING PROFESSORS FROM ABROAD, 2006–2007***

<b>Arun Balasubramaniam</b> National University of Singapore	University of Toronto 2006–2007
<b>Gabor Betegh</b> Central European University	Cornell University Spring 2007
<b>Jochen Bojanowski</b> University of Tübingen	University of Pittsburgh Fall 2006–Spring 2007
<b>David Braddon-Mitchell</b> University of Sydney	University of Michigan Fall 2006
<b>Geoffrey Brennan</b> Australian National University	University of North Carolina, Chapel Hill 2006–2007
<b>Ho-Gun Chung</b> Seoul National University	University of Toronto 2006–2007
<b>Gerald Cohen</b> Oxford University	Columbia University Fall 2006
<b>Ion Copoeru</b> Babes-Bolya University, Romania	University of Memphis 2006–2007
<b>Alexander Fidora</b> University of Frankfurt	Saint Louis University Spring 2007
<b>Dorothea Frede</b> University of Hamburg	University of California, Berkeley Summer 2006–Summer 2007
<b>Yongjun Fu</b> Shandong University	University at Buffalo Fall 2006



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University of Pittsburgh  
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Jagiellonian University

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**Tito Magri**  
Universita degli Studi di Roma

University of Michigan  
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**Derek Parfit**  
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Brazil

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Saint Louis University  
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**Claudine Tiercelin**  
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**Yoshihisa Yamamoto**  
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America  
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2006–2007

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Thomas Institute, Cologne  
Summer 2006–Summer 2007

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Paris  
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Zealand  
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University of Utrecht  
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Spring 2007



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<b>Ori Simchen</b> University of British Columbia	Tel Aviv University Fall 2006
<b>Dan Smith</b> Purdue University	Middlesex University Summer 2006–Summer 2007
<b>Jessica Wilson</b> University of Toronto	Australian National University Spring 2007
<b>Eric Winsberg</b> University of South Florida	Beilefeld University, Germany Fall 2006–Spring 2007

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<b>Ed Allaire</b> University of Texas, Austin	June 2006
<b>Kathleen E. Bohstedt</b> University of Tennessee	December 2006
<b>David Burrell</b> University of Notre Dame	May 2006
<b>Robert Causey</b> University of Texas, Austin	June 2006
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<b>James Child</b> Bowling Green State University	December 2005



**Lorraine Code**  
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June 2006

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June 2006

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May 2006



<b>George Schumm</b> Ohio State University	July 2006
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<b>W. David Sharp</b> University of Alberta	June 2006
<b>Stewart Thau</b> Syracuse University	June 2006
<b>Willis Truitt</b> University of South Florida	March 2006
<b>Michael Vader</b> Marquette University	May 2006
<b>James Van Evra</b> University of Waterloo	August 2006
<b>James Wallace</b> University of Illinois at Urbana-Champaign	August 2006
<b>Wilson Wilkinson</b> Michigan State University	August 2006
<b>Frank Yartz</b> Loyola University Chicago	May 2006



## ANNOUNCEMENTS

At the APA Eastern Division meetings in December, The Ayn Rand Society will sponsor an "Author meets Critics" session on Tara Smith's *Ayn Rand's Normative Ethics: The Virtuous Egoist* (Cambridge, 2006). Presentations will be given by: Helen Cullyer (Center for Hellenic Studies and University of Pittsburgh), Lester Hunt (University of Wisconsin-Madison), and Christine Swanton (University of Auckland). Tara Smith will respond. Allan Gotthelf will chair.

At its recent convocation ceremony on 26 May 2006, the University of Helsinki awarded an honorary degree of Dr. rer. pol. (h.c.) to Nicholas Rescher, University Professor of Philosophy at the University of Pittsburgh. This is the seventh honorary degree awarded to Dr. Rescher by universities on three continents. Additionally, the Royal Society of Canada has elected Dr. Rescher as a foreign fellow.

On the cover of the June 2006 issue of the *Review of Metaphysics*, the surname of Douglas J. Den Uyl (coauthor, with Douglas B. Rasmussen, of "The Myth of Atomism") was misspelled.



# THE MONIST

AN INTERNATIONAL JOURNAL OF GENERAL PHILOSOPHICAL INQUIRY

OCTOBER 2005 ♦ VOL. 88, NO. 4 ♦ SINGLE ISSUE, US \$12

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### ARTICLES

FRANK ARNTZENIUS &  
JOHN HAWTHORNE

*Gunk and Continuous Variation*

DAVID ROBB

*Qualitative Unity and the Bundle Theory*

JOHN HEIL

*Real Tables*

E. J. LOWE

*How Are Ordinary Objects Possible?*

MICHAEL AYERS

*Ordinary Objects, Ordinary Language, and Identity*

ROBERTO CASATI

*Commonsense, Philosophical and Theoretical  
Notions of an Object: Some Methodological Problems*

MARK HELLER

*Anti-essentialism and Counterpart Theory*

Editor: Barry Smith, University at Buffalo, State University of New York

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### ARTICLES

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*Introductory Remarks*

HARRY FIELD

*Compositional Principles vs. Schematic Reasoning*

ROBERT BARNARD  
AND TERENCE HORGAN

*Truth as Mediated Correspondence*

FRANK JACKSON

*Representation, Truth, Realism*

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*ReWrighting Pluralism*

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*Russell, Multiple Relations,  
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NIKOLAJ J. L. PEDERSEN

*What Can the Problem of Mixed Inferences  
Teach Us About Alethic Pluralism?*

ROY T. COOK

*There Are Non-circular Paradoxes  
(But Yablo's Isn't One of Them!)*

DOUGLAS EDEN PATTERSON

*Tarski, the Liar, and Inconsistent Languages*

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*Semantic Regularity and the Liar Paradox*

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Volume 37, No.2, May 2006  
Ontology, Art and The Holy

## Articles

Ontology of Events vs. Ontology of Facts: About the current  
fissures between the continental and analytic traditions,  
by Luis Sáez Rueda

The Sublime and the Intellectual Effort: The Imagination in  
Bergson and Kant, by Valentine Moulard-Leonard

Towards Reality: The Development of the Philosophical Attitude to  
Reality in the Thought of Karl Jaspers, by Ronny Miron

The Letter of James: Authentic Solicitude as a Pathway to the Holy,  
by Joaquin Trujillo

Categorising the Senses, Blurring the Lines: Kant, Derrida,  
Experience, by Fiona Borthwick

The Work of the Art-Work: Art after Heidegger's *Origin of the  
Work of Art*, by Alison Ross

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*The  
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*Iyyun* accepts long essays, articles, and critical studies irrespective of philosophical school or method of inquiry.

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AKEEL BILGRAMI: Self-Knowledge, Intentionality, and Normativity  
CHRISTIAN BONNET: The Transcendental Bias  
HARRY FRANKFURT: On the Usefulness of Final Ends  
P.M.S. HACKER: Wittgenstein on Frazer's *Golden Bough*  
JAMES HIGGINBOTHAM: Truth and Understanding  
MARK GLOUBERMAN: Athens and Jerusalem  
MICHAEL P. LEVINE: Loving Individuals for their Properties  
JERROLD LEVINSON: Gurney and the Appreciation of Music  
J. MARGOLIS: The Defeat of the Computational Model of the Mind  
ELIJAH MILLGRAM: Hume on Practical Reasoning  
SUSAN NEIMAN: Kant on the Structure of Practical Reason  
KAI NIELSEN: Philosophy as Wide Reflective Equilibrium  
DAVID ROSENTHAL: Consciousness and the Mind  
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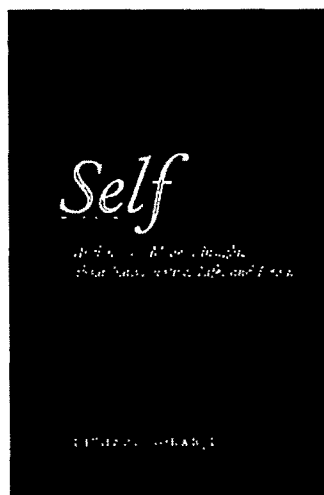


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SAVING TA LEGOMENA:  
ARISTOTLE AND THE HISTORY OF PHILOSOPHY

CHRISTOPHER P. LONG

*And it is just to feel gratitude not only to those whose opinions one shares, but even to those whose pronouncements were more superficial, for they too contributed something, since before us they exercised the active condition [ἐξίς] of thinking.*

—*Metaphysics* 1.2.993b11–15

LET US BEGIN WITH ARISTOTLE as Aristotle so often begins with us: by attending carefully to the words of the ancients. Xenophanes, who Aristotle so generously claims “made nothing clear,”<sup>1</sup> nevertheless gives voice to the hope and tragedy of the human condition: “But from the beginning the gods did not reveal all things to mortals; but by seeking they discover better in time.”<sup>2</sup> Ours is not a world of superlatives but of comparatives—the best, the purest revelation of truth remains concealed to us, and yet, in time, indeed, by searching, we discover better. Xenophanes emphasizes the temporality of human striving, and one might imagine that this points not merely to the progressive attainment of ever more effective articulations of the truth, but also to the cumulative effect past articulations always already have on present attempts to give voice to the nature of things.

Despite his rather harsh judgment of Xenophanes, Aristotle’s own words resonate with his:

The investigation [Θεωρία] concerning the truth is in one sense difficult, in another sense easy. A sign of this is that no one can obtain it adequately [τὸ μὴτ’ ἀξίως μηδὲνα δύνασθαι], nor do all fail; but each

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<sup>1</sup> Aristotle, *Aristotelis Metaphysica* 1.5.986b23–4, ed. Werner Jaeger (Oxford: Oxford University Press, 1992). Unless otherwise indicated, all translations from the Greek are my own.

<sup>2</sup> Hermann Diels, *Die Fragmente Der Vorsokratiker*, 6<sup>th</sup> ed., vol. 1 (Zürich: Weidmann, 1996), frag. 18, 133.

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says something concerning nature [λέγειν τι περὶ τῆς φύσεως], and although one by one each adds little or nothing to it, from all of them being gathered together something great comes into being.<sup>3</sup>

Like Xenophanes, Aristotle begins with human finitude: the capacity (τὸ δύνασθαι) adequately to obtain the truth has not been granted to human beings. And yet, like Xenophanes, Aristotle does not recoil from this, but insists that something great comes into being when the polyphony of articulations concerning nature is assembled.

Theoretical inquiry into the truth here involves not a detached *seeing*, but an engaged *saying*. Indeed, truth does not find expression in the isolated articulation of a single voice, but rather resonates in a polyphony of voices that emerges out of the various ways each engages the world by articulating “something concerning φύσις.” Thus, Aristotle’s own investigations into φύσις begin by attending to the voices of his predecessors. This methodological orientation toward τὰ λεγόμενα, the things said, is no idiosyncratic accident. Rather, as Wolfgang Wieland has suggested, it is “an integrated moment of the objective investigation itself.”<sup>4</sup> Indeed, this orientation toward the things said by those who came before runs throughout Aristotle’s work, from his investigation into nature, to his treatment of the soul, to his inquiry into ethics; for in each case, the investigation into the truth begins where we find ourselves, always already addressed by the things said by our predecessors.

In order to apprehend the central methodological role that Aristotle’s engagement with the things said has for his own attempts to articulate the truth, it will be necessary to sketch the basic contours of Aristotle’s phenomenological approach to τὰ λεγόμενα. This will allow us first to offer a corrective to what seems to have emerged as a kind of received orthodoxy concerning Aristotle’s engagement with the history of philosophy in which, it is alleged, Aristotle manipulates the thinking of his predecessors such that they turn out to be nothing other than, as Harold Cherniss so colorfully put it, “stammering” attempts to express [Aristotle’s] own system.<sup>5</sup> Yet, in his writings on φύσις and specifically in the lectures on *Physics* and the *Parts of Animals*, something different is at work. These writings, because they as-

<sup>3</sup> *Metaphysics* 2.1.993a30–993b3.

<sup>4</sup> Wolfgang Wieland, *Die Aristotelische Physik* (Goettingen: Vandenhoeck & Ruprecht, 1970), 101.

<sup>5</sup> Harold F. Cherniss, *Aristotle’s Criticism of Presocratic Philosophy* (Baltimore: The Johns Hopkins Press, 1935), 348.



siduously remain loyal to the phenomena with which they are concerned, are able to show the extent to which Aristotle attends to the things said by his predecessors, not to legitimize a fully worked out position, but rather to locate articulations that open new possibilities for thinking and express something of the truth.

## I

*Ta legomena as phainomena.* Recent predecessors of our own have highlighted the important role saving the φαινόμενα plays in Aristotle's method. In his famous essay, *Tithenai ta phainomena*, G.E.L. Owen identifies what he considers to be an ambiguity in Aristotle's use of the term "φαινόμενα."<sup>6</sup> In one sense, φαινόμενα point to empirical observations, in another, to common opinions or ἔνδοξα on a subject. The first sense seems to operate in the biological works when, for example, Aristotle asks in *Parts of Animals* whether the natural philosopher "having first studied the phenomena regarding the animals and the parts of each, should then state the reason why and the causes."<sup>7</sup> The second sense is at work, for example, in Aristotle's discussion of ἀκράσια, or incontinence, in *Nicomachean Ethics* 7, where he says:

It is necessary, as with other things, when setting forth the φαινόμενα and having gone through the impasses a first time, to exhibit especially all the opinions [ἔνδοξα] concerning these experiences, or if not [all], then most or the most authoritative. For when the difficulties are resolved and [certain] opinions remain, it would have been made sufficiently evident.<sup>8</sup>

<sup>6</sup> G. E. L. Owen, "Tithenai Ta Phainomena," in *Aristotle: A Collection of Critical Essays*, ed. J. M. E. Moravcsik (Garden City, N.Y.: Anchor Books, 1967), 168–76.

<sup>7</sup> Aristotle, *On the Parts of Animals* 1.1.639b8–10, trans. James G. Lennox, *Clarendon Aristotle Series* (Oxford: Oxford University Press, 2001). For some other references to the empirical meaning of *phainomena*, see *On the Parts of Animals* 1.1.640a13–15; *De Caelo* 2.13.293a23–30; 2.14.297a2–6; 3.7.306a5–17; *Posterior Analytics* 1.13.78b39–79a5; and *Metaphysics* 12.8.1073b32–38.

<sup>8</sup> Aristotle, *Aristotelis Ethica Nicomachea* 7.1.1145b3–7, ed. I. Bywater (Oxford: Oxford University Press, 1894). The above translation attempts to capture the force of two participles, one present (τιθέντας), the other aorist (διαπορήσαντας), in the first sentence. It seems important to highlight the notion that setting forth the phenomena is an ongoing process that includes exhibiting the ἔνδοξα and perhaps even going through the difficulties a first time.



Here the ἔνδοξα, which at the end of the chapter are simply called ‘τὰ λεγόμενα,’ themselves function as the φαινόμενα orienting the investigation into incontinence. Drawing on Owen’s delineation of the different senses of φαινόμενα in Aristotle, Terence Irwin suggests a distinction between two different methods of inquiry. The one, corresponding to the first sense of φαινόμενα, is empirical; the other, corresponding to the second sense, is properly dialectical.<sup>9</sup>

John Cleary, however, has taken issue with this bifurcation of Aristotle’s method, suggesting that “there is a single common method, but that the meaning of ‘phenomena’ is always relative to the subject matter.”<sup>10</sup> For Cleary, the phenomena play two roles in Aristotle’s common procedure: they serve as a starting point of the investigation and they provide a test for the first principles.<sup>11</sup> Cleary rightly traces this method back to an ancient practice in astronomy—and if Simplicius is to be believed, it was a practice initiated by Plato<sup>12</sup>—which involved “saving the φαινόμενα” by developing a mathematical account capable of doing justice to the observed movements of the heavenly bodies. Although this original meaning of φαινόμενα remains identifiable in Aristotle’s work, particularly in the *De Caelo* and *Metaphysics* 12.8, where an attempt to save the phenomena led Aristotle to entertain the possibility that there were, in fact, forty-seven unmoved movers,<sup>13</sup> Aristotle’s own use of the term points to an even broader meaning than has been suggested to this point.

Cleary points to this broader understanding of φαινόμενα when he recognizes that Aristotle not only uses the term to refer to empirical observations and received ἔνδοξα, but more generally, and to modern ears, more strangely, takes linguistic evidence itself as a kind of φαινόμενα. Cleary notes a passage from the *De Caelo* that draws our attention to the intimate relationship between λόγος and the

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<sup>9</sup> Terence Irwin, *Aristotle’s First Principles* (Oxford: Clarendon Press, 1988), 29–30. Irwin admits, however, that the “distinction between dialectical and empirical argument is admittedly rough, and does not imply that the same work cannot include both types of argument” (30).

<sup>10</sup> John J. Cleary, “Phainomena in Aristotle’s Methodology,” *International Journal of Philosophical Studies* 2, no. 1 (1994): 90, n. 13.

<sup>11</sup> *Ibid.*, 61.

<sup>12</sup> Simplicius, *In De cael.* 488.18–24, 493. For a discussion of the problems with this, see Jürgen Mittelstrass, *Die Rettung Der Phänomene: Ursprung Und Geschichte Eines Antiken Forschungsprinzips* (Berlin: De Gruyter, 1962).

<sup>13</sup> *Meta.* 12.8.1074a1–17. For an indication of the relevant passages from *De Caelo*, see note 7 above.



φαινόμενα as Aristotle considers the nature of a fifth element that had long been posited as the material of the heavenly bodies. Aristotle claims:

It seems that our λόγος bears witness to the φαινόμενα and that the φαινόμενα bear witness to our λόγος. . . . It seems that the name [for the primary heavenly body] too has been handed down right to our own day from the ancients who have taken it up in the way that we too are expressing. . . . And so, saying that the primary body is something other beyond earth, fire, air and water, they gave the highest place the name of *aether* [αἰθήρ], positing the name for it from [the fact that] it 'runs always' [θεῖν ᾄει] for an eternity of time.<sup>14</sup>

Leaving the question of the validity of the etymology to one side, Cleary claims that this passage "shows that language is one of the relevant phenomena for Aristotle because he sees it as a repository of truth that can be drawn on by each generation."<sup>15</sup> Although the passage does suggest that language can be viewed as a sort of φαινόμενα pointing in the direction of the truth for Aristotle, Cleary's statement does not do justice to the extent to which λόγος itself serves as a φαινόμενον for Aristotle.

It is not just that λόγος serves as a "repository of truth" for Aristotle, but more fundamentally, the truth of beings is only accessible for human beings as mediated by λόγος. Owen seems to begin to express something like this when he writes: "[T]he λεγόμενα turn out as so often to be partly matters of linguistic usage or, if you prefer, of the conceptual structure revealed by language."<sup>16</sup> Martha Nussbaum comes closer when she claims: "We can have truth only *inside* the circle of appearances, because only there can we communicate, even refer, at all."<sup>17</sup> Yet even these statements fail to do justice to the extent to which in Aristotle λόγος itself serves as a φαινόμενον.

Aristotle operates with a naturalistic conception of the relationship between being and language that allows him to recognize that our

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<sup>14</sup> *De Cael.* 1.3.270b1–24. See Aristotle, *Du Ciel*, ed. and trans. Paul Moraux (Paris: Les Belles Lettres, 1965). Translation is mine, from the Greek. See *Meteor.* 1.3.339b20: "It appears to be an old belief and one which men have held in the past, for the word 'aether' has long been used to denote that element." This translation from the *Meteorology* is from Jonathan Barnes, *The Complete Works of Aristotle: The Revised Oxford Translation*, vol. 1, *Bollingen Series* (Princeton, New Jersey: Princeton University Press, 1984), 556.

<sup>15</sup> Cleary, "Phainomena in Aristotle's Methodology," 71.

<sup>16</sup> Owen, "Tithenai Ta Phainomena," 170.

<sup>17</sup> Martha Craven Nussbaum, *The Fragility of Goodness* (Cambridge: Cambridge University Press, 1986), 257.



very speaking about beings reveals something of the nature of these beings themselves.<sup>18</sup> Here there is no unbridgeable chasm between language and being to traverse. Wieland puts it this way: "The language-thing [*Sprache-Sache*] distinction is an opposition of reflection; phenomenologically it does not exist in the natural attitude: in speaking we always already have to do with the things of which we speak without ourselves being conscious of the opposition between language and things."<sup>19</sup> Expressing the point more boldly, Wieland writes: "every ὄν is an ὄν λεγόμενον."<sup>20</sup> Or, to put it in John Herman Randall's language: "Things are what they can be said to be."<sup>21</sup> Yet, these formulations must not be misunderstood as collapsing being into being-said; rather, they express the belonging-together of being and articulation—they say, to use John Smith's vocabulary, that "articulation is not alien to being."<sup>22</sup>

For Aristotle, each attempt to *express* something of the truth about beings is always already involved with the very beings it encounters. To presume a fundamental disjunction between articulation and being is to impose a distinction of reflection upon a natural relationship and so already to pervert it. This is, it seems, a symptom of the lasting hegemony of the modern segregation of the object from the subject.<sup>23</sup> Aristotle's thoroughgoing naturalism undermines the assumption of a separation between being and articulation. For Aris-

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<sup>18</sup> For Aristotle, the being of nature and the human capacity for articulation belong together; human-being, as the being with λόγος, is itself a natural being whose capacity for articulation is one of the ways nature expresses itself. This *naturalistic* conception of language is beautifully expressed by Frederick Woodbridge: "But [Aristotle] will not let the naturalness of language be natural in admission only. He makes it natural in nature. It becomes one of nature's supreme products, the product in which all other products find articulated linkage. For things to go into language is a going, just as much of a going on their part, and just as natural, as their going into air or water, up or down, or from seed to flower." Frederick Woodbridge, *Aristotle's Vision of Nature*, ed. John Herman Randall (New York: Columbia University Press, 1965), 24.

<sup>19</sup> Wieland, *Die Aristotelische Physik*, 145. See p. 141: "One has with speaking, phenomenologically understood, not to do with the linguistic, but rather indeed, with the things of which one speaks, without oneself knowing that it thereby concerns itself with things of which one speaks."

<sup>20</sup> *Ibid.*, 201.

<sup>21</sup> John Herman Randall, *Aristotle* (New York: Columbia University Press, 1960), 118.

<sup>22</sup> John E. Smith, "Being, Immediacy, and Articulation," *The Review of Metaphysics* 24 (1971): 594.



total, although there remains a discernible difference between being and appearing, there is no sphere of pure being independent of the world of appearance and articulation.<sup>24</sup> Access to being is gained by attending to τὰ φαινόμενα. Thus, when Aristotle characterizes the proper method of his investigation into nature, he speaks not of the direct intuitive grasp of separately existing realities, but of a “natural road” from what is more known to us to what is more known by nature.<sup>25</sup> This road begins with the natural ways in which we and our predecessors speak about beings, because these expressions articulate something of the truth of the beings themselves. The intuition underlying this phenomenological approach to τὰ λεγόμενα is not merely that an orientation toward language can give us insight into the nature of beings, but that the being of beings naturally expresses itself through and in λόγος. From this perspective, Aristotle’s collection and criticism of the things said by his predecessors must be heard not as a prolegomenon to the investigation into nature, but as an integral moment of the investigation itself.

## II

*The path of inquiry.* Although the tendency to begin with the things said by his predecessors runs throughout Aristotle’s work, the

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<sup>23</sup> Heidegger has recognized how inappropriate it is to import the subject/object distinction back into ancient Greek thinking. See Martin Heidegger, *Grundbegriffe Der Aristotelischen Philosophie*, ed. Mark Michalski, vol. 18, *Gesamtausgabe* (Frankfurt am Main: Vittorio Klosterman, 2002), 56.

<sup>24</sup> Randall gets at something of the Aristotelian conception of naturalism when he writes of the position of the so-called “new naturalism”: “The world is not really ‘nothing but’ something other than it appears to be: it is what it is, in all its manifold variety, with all its distinctive activity.” See John Herman Randall, “Epilogue: The Nature of Naturalism,” in *Naturalism and the Human Spirit*, ed. Yervant Hovhannes Krikorian (New York: Columbia University Press, 1944), 361. The distinctive activities of the world are accessible to human λόγος, but neither reducible to it nor violated by it. Vincent Colapietro puts it this way: “The crucial point is that articulation is neither something to which being is subjected by forces utterly alien to it nor a process in which being plays the role of a ventriloquist and we that of dummies.” See Vincent Colapietro, “Striving to Speak in a Human Voice: A Peircean Contribution to Metaphysical Discourse,” *The Review of Metaphysics* 58 (2004): 367, n. 2.

<sup>25</sup> Aristotle, *Aristotelis Physica* 1.1.184a16–18, ed. David Ross (Oxford, England: Oxford University Press, 1992).



first chapter of the *Physics* eloquently expresses the methodological intuition that animates the practice. It starts by insisting that that “τό εἰδέναι” and “τό ἐπίστασθαι” begin with a kind of “γνωρίζειν”—a familiar acquaintance with the first principles and causes of the beings of nature. Here, two of the highest forms of knowledge in Aristotle, εἰδέναι—knowing in the sense of directly seeing the look or εἶδος of something—and ἐπίστασθαι—demonstrative, scientific knowledge—are said to be themselves somehow dependent on, indeed to grow out of, the familiarity with beings that orients us toward the world in which we find ourselves. The beings of nature are prereflectively there for us—we have a kind of pre-understanding of them that serves as a condition for the possibility of both τό εἰδέναι and τό ἐπίστασθαι.<sup>26</sup>

Aristotle emphasizes the importance of the sort of recognition associated with γνωρίζειν when he asserts: “[I]t is necessary to lead forward in this way: from what is less clear by nature but more clear to us to what is clearer and better known [γνωρμώτερα] by nature.”<sup>27</sup> The beings with which we are familiar, however, are at first somehow jumbled together [συγκεχυμένα]; we perceive them as undifferentiated wholes, while the rich contours of their natural being remains hidden. “Thus,” Aristotle tells us, “it is necessary to proceed from the universal [ἐκ τῶν καθόλου] to the particulars [τὰ καθ’ ἕκαστα]; for the whole is better known [γνωρμώτερα] according to perception, and what is universal is some kind of whole.”<sup>28</sup> Strangely enough, this passage seems at odds with Aristotle’s general tendency to associate particulars with perception and to identify the proper path of investigation as proceeding from particulars to universals, rather than the other way around.<sup>29</sup> Here, however, the καθόλου does not name the universal so much as the sort of undifferentiated whole we encounter in our everyday engagements with the world. From this perspective, τὰ καθ’ ἕκαστα does not designate “the particulars” so much as, to use Heidegger’s poignant formulation, “those moments that bring what is at first superficially meant into a compelling distance so that I actually see it in its articulateness.”<sup>30</sup> For Heidegger, as for Aristotle, the movement from that which is more familiar to us, though less

<sup>26</sup> Wieland uses the vocabulary of “*Vorverständnis*” in this context. See Wieland, *Die Aristotelische Physik*, 72.

<sup>27</sup> *Phys.* 1.1.184a18–21.

<sup>28</sup> *Ibid.* 1.1.184a23–4.

<sup>29</sup> See, for example, *De An.* 2.5.417b20–25; *Meta.* 13.10.1087a12 and *Post. Anal.* 1.2.72a4–6.



known by nature, to that which is more known by nature, is a matter of articulation.

This can be heard in the two examples to which Aristotle appeals at the end of the first chapter of the *Physics*. The first example, taken from the sphere of geometry, points to the relationship between a name and its λόγος, or meaning. "A name," says Aristotle, "signifies some whole indistinctly, such as a circle, but the definition [ὁρισμός] takes it apart into particulars [διαίρει τὰ καθ' ἕκαστα]." <sup>31</sup> Here the definition is a matter of a sort of διαίρεσις; not, to be sure, the διαίρεσις that divides something according to a hierarchy of genera and species, but rather, a διαίρεσις that literally articulates the undifferentiated beings of natural experience. <sup>32</sup> The nature of this sort of articulation is reinforced by Aristotle's second example: "And children too at first address all men as father and all women as mother, but later distinguish [διορίζει] each of them." <sup>33</sup> The investigation into nature is oriented at first by the beings that are closest to us; from out of this orientation toward the familiar, we somehow grow into an understanding of the world by learning how to articulate the proper boundaries and limits of the beings we encounter. The child at first speaks poorly, because she has not taken hold of the proper limits of beings; yet she also speaks beautifully, because in attempting to articulate something about the beings she encounters, she speaks the truth—all men are in a certain way father, and all women, mother.

If the path from what is more known to us to what is more known by nature takes its orientation from the manner in which the beings of nature are themselves articulated, and, indeed, if each attempt to articulate something true about the beings with which we are concerned itself contributes something to the truth, it is no surprise that Aristotle's own investigation into φύσις begins, not with empirical observations, but with an engagement with the things said by his

<sup>30</sup> Heidegger, *Grundbegriffe Der Aristotelischen Philosophie*, 38. Heidegger defends this understanding of τὰ καθ' ἕκαστα by suggesting that the "ἐκός" refers to a certain "distance" (ibid., 32). The conceptual origins of the movement from *durchschnittliche Alltäglichkeit*, average everydayness, to *Eigentlichkeit*, authenticity, that plays such an important role in *Sein und Zeit* may be traced back to Heidegger's early engagement with the first chapter of the *Physics* presented in these 1924 lectures.

<sup>31</sup> *Phys.* 1.1.184b1–3.

<sup>32</sup> For a discussion of the difference between this notion of διαίρεσις and that found in Plato's *Sophist* and *Statesman*, see Wieland, *Die Aristotelische Physik*, 87.

<sup>33</sup> *Phys.* 1.1.184b3–5.



predecessors. Yet for Aristotle, and to the chagrin of many presocratic philologists, this turn to the past is never undertaken with the intention of loyally reconstructing the thought of the past. Rather, Aristotle's own philosophical questions lead him to the things said by his predecessors. The articulations of the past are neither convenient places to begin, nor preliminary introductions to the general nature of the problem, but rather the very site from which philosophy must begin. Aristotle pauses to listen to his predecessors because he recognizes *that we are always already determined by the history in which we are embedded, that our thinking is inherently an inherited thinking and that our questions find faint responses, barely discernable echoes, that resonate in the voices of the past.*

Aristotle's own thinking emerges out of a dynamic dialogue with the past, the structure of which is eloquently expressed by Randall when he writes of "a 'dialogue' in which the future asks questions of the past embodied in the present, and the present replies—by generating a new philosophy."<sup>34</sup> Our inquisitive engagement with the beings that address us at once inherits a determinate past and opens a possible future. The future itself addresses us in our encounters with beings, demands an account, indeed, accountability: a dialogical articulation that attempts to put beings into words, recognizing both their ineffability and their yearning for articulation. We exist precisely as such a dialogue with beings, always already determined by past articulations, never yet capable of fully adequate expressions, held accountable by the beings that address us, demanding an account.

This dialogue cannot be oriented by an attempt simply to reconstruct the thought of past thinkers. Rather it emerges from a genuine philosophical engagement with the world, indeed, from a primordial kind of questioning. It is not, as Harold Cherniss has suggested, that Aristotle simply uses these theories to establish "artificial debates which he sets up to lead 'inevitably' to his own solutions."<sup>35</sup> Such a position presumes that Aristotle's μεθόδοι express an already worked out system, indeed, that Aristotle loads the dice as he plays with the thinking of his predecessors such that "one theory is set against another in such a manner that each may bring to light the other's difficulties which are then resolved by a reconciliation: this reconciliation

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<sup>34</sup> John Herman Randall, *How Philosophy Uses Its Past* (New York: Columbia University Press, 1963), 27.

<sup>35</sup> Cherniss, *Aristotle's Criticism of Presocratic Philosophy*, xii.



is the Aristotelian system."<sup>36</sup> Andrea Nightingale seems to agree that Aristotle "constructs" his history of philosophy to reinforce and legitimize his own philosophical position.<sup>37</sup> Focusing primarily on Aristotle's treatment of his predecessors in *Metaphysics* 1, she insists that his engagement with the history of philosophy is teleologically oriented such that Aristotle's own philosophical system always emerges as the clearest, most mature expression of the truth.<sup>38</sup> J. Mansfeld even goes so far as to suggest that Aristotle must have believed his system approximated the final goal closely.<sup>39</sup> Catherine Collobert too emphasizes the importance of Aristotle's teleology: "A history of philosophy supposes, even implicitly, a philosophy of history, which is, for Aristotle, a teleological conception of philosophy's development."<sup>40</sup> While it is perhaps true that Aristotle's engagement with his predecessors is determined by a kind of teleological conception of history, it is a natural teleology that is oriented by the φαινόμενα

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<sup>36</sup> Ibid.

<sup>37</sup> Andrea Wilson Nightingale, *Spectacles of Truth in Classical Greek Philosophy: Theoria in Its Cultural Context* (Cambridge: Cambridge University Press, 2004), 26–9. She writes: "The ancients therefore give Aristotle's own theoretical activities a venerable pedigree even as they point up his vast superiority to the entire tradition" (28).

<sup>38</sup> Ibid., 28.

<sup>39</sup> Jaap Mansfeld, *Studies in the Historiography of Greek Philosophy* (Assen: Van Gorcum, 1990), 48.

<sup>40</sup> Catherine Collobert, "Aristotle's Review of the Presocratics: Is Aristotle Finally a Historian of Philosophy?" *Journal of the History of Philosophy* 40 (2002): 287. Collobert's own orientation to the practice of Aristotle's history of philosophy allows her to distinguish between Aristotle's "synchronic" ordering of the positions of the past in which he puts into perspective conflicting points of view in order to find a solution, and a "diachronic" ordering in which Aristotle reviews the general movement of a philosophical question ending with a solution—confirming a theory (289). This distinction brings into focus the difference between Aristotle's approach to his predecessors at the beginning of the *Metaphysics* and his engagement with their thinking in the *Physics*. In the *Metaphysics*, the things said by his predecessors serve as "witnesses" confirming Aristotle's own worked out conception of the four causes (see, *Meta.* 1.7.988b17). In the *Physics*, however, past articulations emerge as part of a dialogical investigation into the truth of φύσις itself. Collobert's distinction between "synchronic" and "diachronic" ordering covers over the extent to which even the synchronic gathering of positions is part of a diachronic engagement with genuine philosophical questions. Collobert's insistence that Aristotle's engagement with his predecessors is ultimately oriented by the solutions expressed by Aristotle himself eclipses the degree to which Aristotle's own positions emerge from, and as a result of, a deep engagement with the thinking of his predecessors.



themselves.<sup>41</sup> Such a teleological conception of history resonates with Xenophanes's insistence that *in time*, by searching, we discover better. If, however, the teleological structure of history is understood to be constructed with an eye toward a *telos* that stands outside of the order itself, it ceases to be natural and becomes artificial. If history manifests a natural teleological structure, this can only be discerned from within the movement of a history that is itself taken as a phenomenon. The tendency, heard in the things said particularly by Cherniss and Mansfeld, to identify Aristotle's approach to his predecessors with an artificial teleology eclipses the extent to which Aristotle turns to the things said out of an intuitive awareness of his own historicity.

Aristotle's engagement with the past is not determined by a previously worked out system, nor is it concerned with a kind of dialectical reconciliation of the positions of his predecessors. Rather, Aristotle begins with them because he recognizes that they have always already begun with him. The past, as Randall suggests, funds the present in such a way that whenever it enters into a genuine questioning of beings, it must begin with the sayings of the past; for the future is born in and through such sayings. Aristotle's engagement with the past is oriented toward the future—it is guided by an inquisitive engagement with the world. "Questions," Gadamer says, "always bring out the undetermined possibilities of a thing."<sup>42</sup> Aristotle's object is not the reconstruction of the thought of those who came before, but the attempt to articulate "the undetermined possibilities" of the beings with which he is engaged. Gadamer expresses it this way: "[U]nderstanding is always more than merely re-creating someone else's meaning. Questioning opens up possibilities of meaning, and thus what is meaningful passes into one's own thinking on the subject."<sup>43</sup> This is pre-

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<sup>41</sup> Nightingale rightly points out the biological vocabulary deployed in Aristotle's account of his predecessors in *Metaphysics* 1. This reinforces the notion that the teleology that determines Aristotle's understanding of history is itself a natural teleology and not a mere construct. However, the impression that Aristotle *constructs* the views of his predecessors to legitimize his own philosophical position seems largely determined by a limited focus on the approach of the first book of the *Metaphysics*. Yet, there is more to Aristotle's engagement of his predecessors than this attempt to legitimize a previously established position. In the *Physics* and *Parts of Animals*, to cite just two examples, Aristotle turns to the things said by his predecessors as phenomena that uncover the nature of natural beings.

<sup>42</sup> Hans-Georg Gadamer, *Truth and Method*, 2<sup>d</sup> ed. (New York: Continuum, 1994), 375.



cisely how the most fecund possibilities of Aristotle's thinking emerge—in an inquisitive dialogue with the voices of the past.

### III

*Saving the things said.* Let us listen then, to how Aristotle's own engagement with the things said by his predecessors opens up new possibilities of thinking in two texts—the *Physics* and the *Parts of Animals*.<sup>44</sup> These two texts in particular articulate the phenomenological orientation toward τὰ λεγόμενα at work in so many of Aristotle's inquiries, because they remain guided by an insistent and sustained philosophical interrogation of the being of natural beings.

The question that orients Aristotle's first approach to the being of τὰ φύσικα concerns the number of their principles. Ironically, Aristotle begins with Parmenides and Melissus who, he claims, cannot have spoken at all about nature and its principles, for in asserting that being is one, they fail to grasp the meaning of an ἀρχή: "For it is not any longer an ἀρχή if it is one only and there is therefore only one thing, for an ἀρχή is of something or some things."<sup>45</sup> This failure Aristotle ascribes to their tendency to speak for the sake of speaking [λόγου ἔνεκα λεγομένον]—that is, they are not able to say something concerning nature precisely because their words *do not address the beings of nature*. This refusal to direct λόγος to beings undermines the investigation into nature; indeed, it threatens the very possibility of speaking at all. Yet Aristotle calls this limit case the "most appropriate beginning" because it allows us to recognize that being is "said in more than one way."<sup>46</sup> The plurivocity of being is a condition for the possibility of the investigation into the principles of nature, for a principle is itself always a matter of a certain predication: to function as a source of intelligibility, an ἀρχή must be capable of being said of that of which it is the principle. Thus, when Parmenides and Melissus

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<sup>43</sup> Ibid.

<sup>44</sup> Our orientation toward these two texts is designed to uncover a methodological approach that is heard throughout Aristotle's work. Thus, these two texts are in some sense paradigmatic of Aristotle's overall phenomenological approach to the things said. The same points could have been made by attending carefully to almost any of Aristotle's writings.

<sup>45</sup> *Phys.* 1.2.185a3–5.

<sup>46</sup> Ibid. 1.2.185a23–4.



assert the univocity of being, they deny themselves the possibility of making the sorts of distinctions that allow the being of nature to come to expression.<sup>47</sup> For Aristotle, to assert the absolute oneness of being is to assert nothing at all, or perhaps better, it is to show its own impossibility because the assertion itself requires the saying of something as something and therefore already involves a kind of multiplicity. Some particularly zealous followers of Parmenides—worried that the same thing might be both one and many—seem to have attempted to abolish the ‘is’ from human language. Others, Aristotle tells us, “re-fashioned the language so that a human-being ‘has whitened’ rather than ‘is white’ and ‘walks’ rather than ‘is walking’ in order not to make the one be many by attaching ‘is’, as though *one* or *being* were said in only one way.”<sup>48</sup> This attempt to reconstruct the language to fit a theory stands for Aristotle as the most appropriate starting point for the inquiry into the principles of natural beings, precisely because it marks the limit of the possibility of the investigation itself.

Yet even here at the limit, Aristotle does not abstractly reject the things said by his predecessors. Indeed, he begins *Physics* 1, chapter 5 by saying: “Everyone makes contraries the ἀρχαί.”<sup>49</sup> Initially, this sounds strange, for surely Parmenides and Melissus do not make contraries the original beings. However, Aristotle is quick to point out that even Parmenides says that the cold and the hot are ἀρχαί, though he calls them “fire and earth.”<sup>50</sup> In a passage from the *Metaphysics* explicitly linked to this discussion in the *Physics*, Aristotle claims that Parmenides speaks of the principles as two because he is “forced to follow the *phainomena* [ἀκολουθεῖν τοῖς φαινόμενοις].”<sup>51</sup> The attempt to say something about the beings of nature forces Parmenides

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<sup>47</sup> Aristotle puts it this way: “But if all beings are one in λόγος as a robe and a cloak, [Parmenides and Melissus] turn out to assert the Heraclitean λόγος; for being-good and being-bad would be the same, and being-good and being-not-good—so that what is good and what is not good would be the same, as would a human being and a horse, and their λόγος would not be about the being-one of beings but about the being-nothing [of beings]” (Ibid. 1.2.185b21–27).

<sup>48</sup> Ibid. 1.2.185b28–33

<sup>49</sup> Ibid. 1.5.188a19.

<sup>50</sup> Ibid. 1.5.188a20–21. Aristotle leaves Melissus out here presumably because the “crudeness” of his thinking precluded him from giving expression to the impasses that lead to a genuine encounter with the beings of nature, see *Phys.* 1.2.185a12–15.

<sup>51</sup> *Meta.* 1.5.986b26–987a2.



to articulate something of the truth of natural beings, namely, that their principles are not simply one, but at least two. That something like this must be the case, Aristotle claims, is evident from the things said by his predecessors. This *consensus omnium* serves as a sign of the truth of what has been said. Aristotle arrives at the threshold of his own philosophical engagement with the beings of nature through the things said; for the recognition that contraries somehow serve as ἀρχαί provides not only the impetus for, but also the context in which Aristotle's own rich analysis of the being and becoming of τὰ φύσικα develops. Hearing the harmony of voices claiming the central importance of contraries, Aristotle proceeds to offer an articulation of his own in which he translates the vocabulary of contrariety into that of opposition and suggests that the becoming of natural beings involves the transition from a certain shapelessness to being-shaped. Out of this discussion grows the philosophically fecund distinction between form and its privation that plays a central role in Aristotle's own articulation of the being of natural beings. Yet this distinction, along with that of the ὑποκείμενον [that which underlies], which itself emerges not only from Aristotle's engagement with his predecessors, but also from his attention to our common ways of speaking, must themselves be heard to grow out of Aristotle's inquisitive dialogue with the things said by those who came before.<sup>52</sup>

This dialogue is heard as well in the first book of the *Parts of Animals*, in which we find a powerful expression of the central methodological importance of τὰ λεγόμενα. The text begins by insisting that "it is the manner of an educated person to be able to judge

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<sup>52</sup> Aristotle's method of "saving τὰ λεγόμενα" has two interrelated but distinct dimensions. The first, outlined in this essay, involves an orientation toward the things said by his predecessors. The second, which goes beyond the scope of the present essay, but which will be addressed in a forthcoming study of Aristotle's phenomenology, orients itself toward the things commonly said, toward our common ways of speaking. For Aristotle, such articulations also express something of the truth of being. See, for example, *Physics* 1.7, where the fundamental ontological distinction between form and matter is developed from a consideration of how people speak about becoming (1.7.190a21–190b1). The same methodological orientation toward the things commonly said is at work in *Metaphysics* 7.7 and 9.7, where Aristotle points to the alteration of the way we commonly refer to the material element of a composite once it has taken on its form—a statue is not bronze, but brazen—to suggest that matter continues to play an ontological role in determining the being of the composite (see 7.7.1032b32–1033a23 and 9.7.1049a18–1049b4).



successfully what is beautifully said and what is not.”<sup>53</sup> The question concerning the ability to judge what is and is not said beautifully leads Aristotle to the one of the most explicit statements of his phenomenological approach: “[F]irst one should get hold of the phenomena concerning each kind, then state the causes.”<sup>54</sup> While this statement has important implications for how the *History of Animals*, which phenomenologically gathers the similarities and differences among animals, relates to the *Parts of Animals*, which is concerned with expressing causes based on this collection, it also opens up the question concerning the proper response to the “what is it” question.

For Aristotle, this involves an account of the what-it-was-for-something-to-be, its *τί ἦν εἶναι*.<sup>55</sup> This, of course, is a technical term in Aristotle, and it seems to be deployed here having already been fully worked out conceptually. Aristotle himself says later in book 1 of the *Parts of Animals* that his predecessors did not have an understanding of “*τὸ τί ἦν εἶναι*” and “the capacity to delimit the being of beings [*τὸ ὁρίσασθαι τὴν οὐσίαν*].”<sup>56</sup> Yet immediately upon opening the question concerning *τὸ τί ἦν εἶναι*, Aristotle turns to the words of his predecessors. At first the move is decidedly critical: for the most part, when responding to the question concerning what each being is, the ancient *φύσικοι* appealed to the material origin and failed to consider the “that for the sake of which” or the form. For Aristotle, however, this is not well said, for when we ask what a desk is, for example, it is not enough simply to say “wood.” Rather, as Aristotle suggests, we must articulate the form [*εἶδος*]; for the desk is a “this in that,” (*τόδε ἐν τῷδε*), or a “this-such” (*τόδε τοιόνδε*).<sup>57</sup> The demonstratives here seek to articulate the enigmatic nature of composite beings. The linguistic gestures—*τόδε ἐν τῷδε*, *τόδε τοιόνδε*—express the distinction between form and matter that shows itself in the beings we encounter. The very attempt to put the beings we address into words forces

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<sup>53</sup> Aristotle, *Les Parties des Animaux* [PA] 1.1.639a4–5, ed. Paul Louis (Paris: Les Belles Lettres, 1956). Translation is mine, from the Greek.

<sup>54</sup> PA 1.1.640a13.

<sup>55</sup> For a discussion of this translation for *τί ἦν εἶναι* which emphasizes the appearance of the imperfect ‘ἦν’, see Christopher P. Long, *The Ethics of Ontology: Rethinking an Aristotelian Legacy*, *Suny Series in Ancient Greek Philosophy* (Albany: State University of New York Press, 2004), 65, 81 and 158.

<sup>56</sup> PA 1.1.642a25.

<sup>57</sup> Ibid. 1.1, 640b25.



us to recognize that an appeal to matter does not say enough about them.<sup>58</sup> By addressing them, they speak to us, drawing our attention beyond their matter, to their very look—εἶδος.

Yet the precise manner in which the εἶδος is articulated in this text itself says something about the path of Aristotle's thinking. He says that in speaking about a bed "it would be necessary to speak about the configuration [σχήματος] and what sort of visible appearance [ιδέα] it has."<sup>59</sup> These words trace a genealogy. Whatever else it might suggest, the term "ιδέα" evokes the thinking of Plato and so, for Aristotle, a conception of form as somehow separate from the matter from which it has been abstracted. Yet this Platonic "ιδέα" is said together with "σχήματος," a λόγος that pulls in the opposite direction; for Aristotle explicitly associates "σχήματος" with the thinking of Democritus, an atomist and materialist, and so draws the "ιδέα" back into relation with its matter. Aristotle's name for this conception of form as intimately bound to matter is μορφή. Thus he says: "The nature in respect to shape (μορφή) is more important than the material nature."<sup>60</sup> To hear this statement properly, it is necessary to recall that it is made within the context of a corrective of the φύσιςκοι who tried to articulate the being of nature exclusively in terms of matter.

Yet, when Aristotle insists on the importance of μορφή, he is not simply thinking against his predecessors, but with them as well. For Aristotle develops his own more robust conception of form as μορφή by attending carefully to *the way Democritus speaks*: "Now if it is by virtue of its configuration [σχήματος] and color that each of the animals and their parts is what it is, Democritus might be speaking correctly; for he appears to assume this."<sup>61</sup> Even if his overall theory of atomism is misguided, still Democritus speaks well, for he appears to assume (φαίνεται . . . πολλαβεῖν) that it is by virtue of configuration

<sup>58</sup> What Heidegger delineates as the two dimensions of λόγος are at work here: "1. λόγος, λέγειν in the sense of to approach and point to something, λόγος in the sense of access; 2. λόγος says also that which is expressed as such, it lies in the being that is addressed." See Heidegger, *Grundbegriffe Der Aristotelischen Philosophie*, 212.

<sup>59</sup> PA 1.1.640b27–8.

<sup>60</sup> Ibid. 1.1.640b28–9.

<sup>61</sup> Ibid. 1.1.640b29–31. Commenting on this passage, Lennox recognizes that "[t]he wording suggests that Aristotle infers Democritus's beliefs from what he actually says. He *says* that it is clear what sort of thing a human is because this is known by way of configuration and colour." See Aristotle, *On the Parts of Animals*, 138.



that each animal and their parts are what they are. Attending to the assumptions in what has been said, to the very manner in which the speaking appears, Aristotle hears a way of thinking form as ontologically efficacious.

However, Democritus spoke in too unqualified a way [λίαν οὖν ἀπλῶς εἴρηται], for appealing to mere shape [σχήματος] is not enough. To make this clear, Aristotle appeals to the example of a corpse which, although it maintains the shape of a human-being, no longer is what it was precisely because it has ceased to be able to do its work. Thus, its being is not merely its σχήματος, the configuration of its outward appearance, or even its εἶδος, if by this we hear an ἰδέα separated from its matter; rather, it is μόρφη in its deeper sense as the being-at-work of matter. By attending to the way things are said, our attention is directed to the very manner in which the being of the being under consideration *is* in the world, to its very being-at-work, ἐνεργεία. This more robust conception of form, which now must be heard together with matter as expressed in the various ways in which beings *are* in their world, leads Aristotle's thinking to the very phenomenality of the phenomena, that is, to their ways of appearing. For it is only here, by living and speaking in intimate association with the phenomena, that the truth of beings is articulated.<sup>62</sup>

#### IV

*The compulsion of truth.* The two texts we have been considering, the opening passages of the *Physics* and the *Parts of Animals*, find an echo in one another, for not only do they articulate how τὰ λεγόμενα offer access to the truth of beings, but both texts vividly express the manner in which the truth compels its own articulation. In the *Physics*, after identifying the common agreement that the ἀρχαί are contraries and considering the meaning of contrariety in this context, Aristotle again returns to the things said by his predecessors:

For all of them say that the elements and the things they call original beings are contraries, and even though they lay it down without argument [ἄνευ λόγου], they say [λέγουσιν] it nonetheless, as though compelled by the truth itself.<sup>63</sup>

<sup>62</sup> See *De Gen. et Cor.* 1.2.316a6–7.

<sup>63</sup> *Phys.* 1.5.188b29–32.



Aristotle's dialogue with his predecessors is oriented by and attends to a certain kind of λόγος, not, indeed, the λόγος of fully worked out, intentional arguments—although there is truth here too—but the λόγος that emerges from the direct, intimate engagement with beings themselves. The things having been said, τὰ λεγόμενα, are φαινόμενα that, when carefully assembled and critically questioned, speak something of the truth.

Aristotle's attention to τὰ λεγόμενα as φαινόμενα determines his engagement with his predecessors. Remarkably, however, Aristotle shows little interest in the actual arguments they put forth, nor is he much concerned with the content their thinking expresses. Indeed, his accounts of their various positions are surprisingly formal. He is content to show, for example, that a wide diversity of thinkers—from the monist Parmenides to the atomist Democritus, from Empedocles to Anaxagoras—have said things that can in a certain sense be heard as harmonious. This harmony does not mute dissonance. Aristotle insists: "So they say things that are in a certain way the same as one another, but also different: different in just the way they seem to be to most people, but the same to the extent that they are analogous."<sup>64</sup> What appears on the surface as dissonant, reveals a deeper resonance. To hear the resonance of truth under the cacophony of voices, Aristotle reflects not so much on the content of the philosophical positions of his predecessors as on the form of what they say. This allows Aristotle, as Wieland suggests, both to take his predecessors seriously and to move beyond them. He can move beyond them because he is less concerned with *what* they say—that is, with the objective content of their thought—than with *how* they say it—that is, with what they mean by speaking the way they do. He must take them seriously because their ways of speaking reveal what is implicitly presupposed about the things under consideration.<sup>65</sup> For Aristotle, every λόγος that genuinely seeks to say something concerning beings somehow resonates with the truth.

This is the force of Aristotle's insistence that the truth compels his predecessors to speak in certain ways. Yet truth only speaks in the things said as the things said speak about things. Two passages at the end of the first chapter of the *Parts of Animals* suggest the link

<sup>64</sup> Ibid. 1.5.188b34–189a1.

<sup>65</sup> Wieland, *Die Aristotelische Physik*, 143–4.



between truth and things. “For nature is an origin more than matter. Even Empedocles occasionally stumbles upon this, led by the truth itself [ π’ αὐτῆς τῆς ἀληθείας], and is forced to say that the οὐσία and the nature is the λόγος, for example when he says what bone is.”<sup>66</sup> Empedocles speaks the truth when he attempts to articulate what bone is. If truth compels us, it is only when our λόγοι are directed toward beings. This is further reinforced a few lines later when Aristotle says that Democritus was the first to touch on the τί ἦν εἶναι “because he was carried away by the thing itself [ὑπ’ αὐτοῦ τοῦ πράγματος].”<sup>67</sup> In commenting on these two passages, Heidegger writes: “Ἀλήθεια and πράγμα [things or beings] are here used in the same sense, that is, ἀλήθεια is not ‘validity’ that clings to the sentence or some such thing (as a logic gone astray thinks), but rather [ἀλήθεια is] nothing other than the being in its uncovering, it is πράγμα, insofar as the being with which I have to do is there in a certain uncoveredness [*in einer gewisser Entdecktheit*].”<sup>68</sup> This intimate connection between truth and thing emerges from a λόγος striving to articulate something of the truth of things. As with Aristotle, so with Heidegger, much depends on little words. Here, Heidegger’s “einer gewisser”—in a certain . . . uncoveredness—echoes Aristotle’s frequent use of “τις,” a certain . . . , to temper the force of a statement when the danger of hyperbole looms. The danger here is that of hybris; for “a certain uncoveredness” is precisely not pure revelation. Truth is revealed *through* λόγος. This claim is no renunciation of the limits of λόγος. Rather, it points to those limits and, by extension, to human finitude itself. If, as Santayana has a fictional Avicenna remind us, “[n]aturalists are often betrayed by their understanding of origins into a sort of inhumanity,”<sup>69</sup> we would do well to listen for this tendency in Aristotle, the “greatest naturalist” of all.

And indeed, such an inhumanity is discernible even in the way Aristotle himself appropriates the things said by his predecessors. The irony is that the very formalism that allows Aristotle both to take his predecessors seriously and to move beyond them involves a sort of appropriation, an abstraction from their original context, indeed a

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<sup>66</sup> PA 1.1.642a16–20.

<sup>67</sup> Ibid. 1.1.642a28

<sup>68</sup> Heidegger, *Grundbegriffe Der Aristotelischen Philosophie*, 240.

<sup>69</sup> George Santayana, *Dialogues in Limbo: With Three New Dialogues* (Ann Arbor, MI: University of Michigan Press, 1957), 243.



violence that makes the things said, say things differently. Yet this too is a very human inhumanity; for it is an inescapable consequence of human historicity. It is a reminder of the finitude of which Aristotle, echoing Xenophanes, speaks when he calls the investigation concerning truth difficult. Yet this very recognition humanizes the investigation; for let us not forget, it is easy to speak the truth. We are natural beings and our attempts to articulate the truth about beings will ineluctably say something true, but only to the extent that our λόγοι remain open to beings themselves. We have, in fact, inherited from Aristotle this openness to beings and the ἔξις of thinking that makes it possible, and he inherited it from his predecessors. For it is a human ἔξις, an active condition, a way of being in the world that refuses to remain content with the surface of things, but seeks to articulate the deeper truth of the beings that are at once familiar and elusive.<sup>70</sup>

Access to the truth, then, does not require immediate insight into the realm of pure Being separate from the world in which we find ourselves. Yet it does involve a sort of transcendence, not the transcendence of which philosophers have often dreamed, confusing themselves with the gods, but finite, human transcendence—the ability to step outside oneself by attending to the things said before; for in these articulations, the truth resonates. Yet this transcendence is finite, for we are limited even as we step outside ourselves, held accountable from two directions. On one side are the things said, the very history in which we are embedded and from which we speak. On the other side stand the things themselves, demanding to be put into words; for Aristotle's naturalism tells us at once that beings go into words willingly, and that as an expression of a finite being, each attempted articulation always leaves more to be said. To take up here at the end what was said at the beginning: if we learn how to listen more attentively, we too in time might begin to speak more beautifully. And in so speaking, "something great comes into being."

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<sup>70</sup> I owe this formulation to Vincent Colapietro who eloquently writes: the best metaphysics is "a continuous striving to speak in a human voice about what is most intimately yet elusively familiar, everyday experience in its broadest reach and deepest import." Colapietro, "Striving to Speak in a Human Voice," 396–7.



## ON WHETHER AQUINAS'S *IPSUM ESSE* IS "PLATONISM"<sup>1</sup>

STEPHEN L. BROCK

**I**N SEPTEMBER OF 2002, Oxford University Press published a book by Anthony Kenny entitled *Aquinas on Being*. In the preface, Kenny declares St. Thomas to be one of the greatest of all philosophers. The book's aim, however, is not to explain this judgment. In fact it is to show that on the topic of being, Thomas "was thoroughly confused."<sup>2</sup> Kenny surveys works spanning Thomas's entire career, finding therein neither a unified nor even a coherent conception of the nature of being. His diagnosis of the confusion is complex, but there is one factor that stands out as the gravest and most pervasive. He calls it "platonism."

Kenny's is not an isolated voice. Indeed, for more than a quarter of a century, the eminent Italian philosopher and student of Aristotle, Enrico Berti, has been raising similar doubts about Thomas's ontology.<sup>3</sup> Berti is less severe than Kenny in his judgments. But his worry is essentially the same: an infection of "platonism."

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<sup>1</sup>Revised version of "L'*ipsum esse* è 'platonismo'?", in *Tommaso d'Aquino e l'oggetto della metafisica*, ed. S. L. Brock (Rome: Armando, 2004), 193–220.

<sup>2</sup>Anthony Kenny, *Aquinas on Being* (hereafter "AB") (Oxford: Oxford University Press, 2002), v.

<sup>3</sup>In addition to the works cited in the course of this study, others in which he raises the issue include: Enrico Berti, "Aristotelismo e neoplatonismo nella dottrina tomistica di Dio come *ipsum esse*," in Enrico Berti, *Studi Aristotelici* (L'Aquila: Japadre Editore, 1975), 347–52; "Le problème de la substantialité de l'être et de l'un dans la *Métaphysique*," in *Études sur la Métaphysique d'Aristote*, ed. Pierre Aubenque (Paris: Vrin, 1979), 89–129 (French translation of the article cited in n. 6 below); "Il significato del tomismo nel pensiero contemporaneo," *Studium* 77 (1981): 59–66; "Originarietà dell'idea e ultimità del principio," *Giornale di metafisica* 7 (1985): 381–97; "Überwindung della metafisica?," in *La metafisica e il problema del suo superamento* (Padova: Libreria Gregoriana Editrice, 1985), 9–43, esp. 18–29; "Brentano and Aristotle's *Metaphysics*," in *Whose Aristotle? Whose Aristotelianism?*, ed. Robert W. Sharples (Aldershot: Ashgate, 2001), 135–49.



The complaint, of course, is not simply that (neo)platonism is an important source for Thomas's doctrine of being. For some time now, followers of Thomas have been stressing this very fact. They often use it to help explain why Thomas was able, as they say, to "go beyond" the ontology of Aristotle. But what concerns Berti and Kenny is a line of thought that Aristotle himself, associating it with Plato, lays out carefully and vigorously rejects—and that Thomas joins him in rejecting. It is this very line that they find insinuating itself at crucial points in Thomas's own thought on being. So the problem is not just that the line is mistaken (though they clearly think it is). It is also that insofar as he adopts it, Thomas is being incoherent.

It seems to me that Berti's concerns have received far too little attention.<sup>4</sup> Oddly, not even Kenny mentions him. In what follows, I shall refer more to Berti than to Kenny. Berti offers a much fuller analysis of the pertinent Aristotelian doctrines, and this enables him to formulate the issues in a correspondingly sharper way. Here I can address only some of them. I lay these out in sections I and II. My chief aim in the rest of the paper will be to highlight an element in Thomas's ontology that is both very pertinent and, I find, rather neglected by critics and followers alike. This is the connection that Thomas maintains between the nature of being and the differences of things.

## I

*Against Plato: being is not a single nature.* In book 3 of the *Metaphysics*, Aristotle presents a list of difficulties that first philosophy needs to address. The 11<sup>th</sup> difficulty, which he calls "the hardest and the most necessary for knowledge of the truth," is whether being and one constitute the substance and principle of things—the most

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<sup>4</sup> I am aware of only two responses: Antonino Poppi, "Sul problema della sostanzializzazione dell'ente e dell'uno in san Tommaso d'Aquino," in Antonino Poppi, *Classicità del pensiero medievale: Anselmo, Bonaventura, Tommaso, Duns Scoto alla prova dell'elenchos* (Milano: Vita e pensiero, 1988), 121–49; and Joseph Moreau, "La tradizione aristotelica e l'analogia entis," in *Metafore dell'invisibile: Ricerche sull'analogia*, ed. G. Santinello (Brescia: Morcelliana, 1984), 93–6. In my opinion these do not address the real core of Berti's criticism, which is that Thomas seems to treat being as a single essence.



mental realities—or whether they are only attributes of some other underlying nature.<sup>5</sup> Plato and the Pythagoreans, he says, finding being and one to be the most universal features of things, regarded them as the most essential. Aristotle also indicates that Plato, with his characteristic move of ἐκθεις, isolated these features and posited a Being itself and a One itself existing separately, that is, Ideas of Being and One.<sup>6</sup> Berti calls this the “substantialization” of being and one.

Aristotle, of course, rejects this position. His reasons are several. Among them would be all of his arguments against the possibility that any universal or common feature could be a substance.<sup>7</sup> Others concern the special case of being. Here two points, closely related, stand out.

The first is Aristotle's insistence that if there are many beings, then the substance of them, their essence, cannot be being itself. If it were, then it would be a genus; and this is impossible. The principles by which the species of a genus are divided from each other are their differentiae, and the genus cannot be predicated directly of the differentiae.<sup>8</sup> So if being were a genus, divided by differentiae into many species, then it could not be predicated of the principles dividing it; which is to say, these principles could not be beings. Distinguishing features would not exist. There could not be many beings after all. The differences among beings must also be beings.<sup>9</sup>

The second point also has to do with the multiplicity of the beings. Whether or not being is in the essence of all things, if

<sup>5</sup> Aristotle, *Metaphysics* 3.4.1001a4–33. See also 3.1.996a4–9; 11.2.1060a36–b6.

<sup>6</sup> See *Metaphysics* 7.1.6.1040b17–30. On ἐκθεις, see Enrico Berti, “Il problema della sostanzialità dell'essere e dell'uno nella *Metafisica* di Aristotele” (hereafter “PS”), in Enrico Berti, *Studi Aristotelici* (L'Aquila: Japadre Editore, 1975), 183–4. For the most part I shall leave aside the question of the one, since the issue is Thomas's doctrine of being.

<sup>7</sup> See *Metaphysics* 7.13–16.1038b1–41a5.

<sup>8</sup> *Metaphysics* 3.3.998b20–27; see 3.4.1001a27–b1. If the genus were predicable of the differentiae, then the name of the genus would appear more than once in the definition of the species, and the differentiae themselves would be either species or individuals; see Aristotle, *Topics* 6.6.144a36–b3.

<sup>9</sup> “In sum, being is not a genus because, besides expressing what there is that is common to all beings, it also expresses what there is that is diverse, that is, their differences”; Enrico Berti, “L'analogia dell'essere nella tradizione aristotelico-tomistica” (hereafter “AE”), in *Metafore dell'invisibile: Ricerche sull'analogia*, ed. G. Santinello (Brescia: Morcelliana, 1984), 30 (my translation).



nonetheless there is one single thing whose essence consists in being itself—an Idea of being—then being must be understood as a single essence. From this it follows that any other thing, considered just in itself or according to its own essence, would not be a being.<sup>10</sup> So again there would be nothing—that is, no beings—to multiply being. Aristotle, in fact, groups Plato with thinkers who, in order to avoid the monism of Parmenides, tried to explain the multiplicity of beings by way of a composition of the nature of being with “something else,” that is, some nonbeing.<sup>11</sup> Aristotle’s own view is that the substance of each thing is a being (and also one) *per se*, not by a combination or in virtue of something conjoined to it. This is what he means when he says that “man,” “one man,” and “existing man” are interchangeable predicates.<sup>12</sup>

So the basic problem with the platonic position is that being is treated as a single essence, univocal. For Aristotle, being must be conceived from the start as diversified.<sup>13</sup> If the multiplicity of things is real, then “being” cannot stand solely for a feature common to all things. It must also be able to stand, immediately, for what is distinctive about each. This is possible only because being does not have an absolute or fully autonomous nature, one that stands entirely on its own. Being is always said of a subject whose essence is not just being itself, and its nature varies in function of what it is said of.<sup>14</sup>

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<sup>10</sup> “Being (*L’ente*) itself, in fact, is a substance having as its essence to be (*l’essere*) itself; in this way to be is a determinate essence, a single essence, namely the essence of this substance, not a multiplicity of essences. Now, since that which is signified by a term is the essence, if the term ‘to be’ signifies one sole essence, it must have a single signification. But then everything that is not a being by its essence is a nonbeing”; Berti, PS, 188 (my translation).

<sup>11</sup> In Plato’s case, this would be the “Indefinite Dyad.” See Enrico Berti, “Multiplicity and Unity of Being in Aristotle” (hereafter “MU”), *Proceedings of the Aristotelian Society* 101 (2001): 206. Berti refers to *Metaphysics* 14.2.1089a1–6. We might note that immediately after this passage, Aristotle remarks that being has many senses (1089a7). He seems to be explaining why there is no need to appeal to nonbeing.

<sup>12</sup> *Metaphysics* 4.2.1003b22–33.

<sup>13</sup> “Consequently being and one ought not to be thought of initially as unitary, and subsequently divided into a plurality of genera. For the same reason, there cannot be a genus, much less a single being, which is nothing but one or being, that is, which realizes in itself the essence of one and being; but there is always just a multiplicity of genera or of beings”; Berti, PS, 190.



This, Berti insists, does not mean that for Aristotle, "being" signifies nothing by itself. Rather, it would signify nothing, or would be indistinguishable from nonbeing, if it only signified one thing. It signifies many things. This is why it is so rich.<sup>15</sup>

## II

*Ipsum esse as univocal.* Now, as Berti recognizes, Thomas Aquinas fully agrees with Aristotle's general criticisms of platonic Ideas. Thomas rejects the existence of separate or subsistent versions of the essences of sensible things. Moreover, he does not hold that being pertains to the essence of all things. He takes the point that being cannot be a genus.<sup>16</sup> He also holds that "being," by itself, signifies many things.<sup>17</sup> In fact, he does not fix on the common predicate "being" (*ens*) and posit this directly as separate.<sup>18</sup> Instead, he isolates the common perfection or determination through which all things are beings, namely, the act of being, *esse*. He holds this to be outside the

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<sup>14</sup> See *Metaphysics* 10.2.1053b9–21. Aristotle compares "being" with terms like "element" and "principle": these do not signify the essence of that which is an element or a principle, but rather we still ask what the element or the principle is: *Metaphysics* 7.16.1040b16–19.

<sup>15</sup> See Enrico Berti, "L'analogia in Aristotele—interpretazioni recenti e possibili sviluppi" (hereafter "AA"), in *Origini e sviluppi dell'analogia. Da Parmenide a S. Tommaso*, ed. Giuseppe Casetta (Roma: Edizioni Vallombrosa, 1987), 113.

<sup>16</sup> To cite just one of the many places where he mentions it: "Omne genus differentiis aliquibus diuiditur. Ipsius autem esse non est accipere aliquas differentias; differentie enim non participant genus nisi per accidens, in quantum species constitute per differentias genus participant. Non potest autem esse aliqua differentia que non participat esse, quia non ens nullius est differentia"; Thomas Aquinas, *Compendium theologiae* (hereafter "CT"), pt 1, ch. 13, in *Sancti Thomae Aquinatis doctoris angelici Opera omnia iussu Leonis XIII P.M. edita*, vol. 42, cura et studio fratrum praedicatorum (Rome: Commissio Leonina, 1882—), 86. Unless otherwise indicated, all references for works of Thomas are to the Leonine edition.

<sup>17</sup> See Thomas Aquinas, *Expositio Peryermeneias* (hereafter, "EP") bk. 1, lect. 5 (Leonine ed. 1\*1, p. 30, ll. 314–30).

<sup>18</sup> He is explicit about the fact that just as *unum* and *ens* cannot be genera, neither can they be a subsistent substance: Thomas Aquinas, *In duodecim libros metaphysicorum Aristotelis expositio* (hereafter "CM"), ed. Marie-Raymond Cathala and Raymond M. Spiazzi (Turin: Marietti, 1950), bk. 10, lect. 3, §1966.



essence of all things—save one. This one is God, who is *ipsum esse subsistens*. All others have *esse* from Him.

Thomas also sees *esse* as somehow diversified in things. They have it in various “modes,” which are determined according to their diverse essences. Nor is the *esse* possessed by things the very *esse* of God. God’s *esse* subsists separately, and hence in a pure and infinite way. The *esse* of other things is only participated, and it is conditioned and limited in each case, according to the essence of the participant. God is not identical with the *esse* inhering in all things, *esse commune*, but is rather its cause—its agent and its exemplar.

Thus there are clear differences between Thomistic *esse* and the Platonic *ὄν* criticized by Aristotle. Nevertheless, Berti is not persuaded that Thomas has fully assimilated the criticism. If he had, he would not posit a single subsistent whose essence is constituted by *esse* itself. If *esse* can be the essence of one single thing, then *esse* itself is one single essence. Even if other things share in it, thereby putting it under a variety of conditions, its own intrinsic signification will remain the same. And if *esse* is intrinsically the same, then so is *ens* itself, insofar as it is *ens*. The diversity of being will not be intrinsic to it, as Aristotle insisted it must be (and as Thomas himself seems to agree that it must be).

As Berti understands it, Thomas’s way of placing *esse* outside the essences of things is not really in line with Aristotle’s denial that *ens* is a genus. If for Aristotle *ens* is not in the essences of things, this is because it is too intimately tied to each thing’s whole essence, too bound up with its full identity, to be merely one essential feature alongside others, as a genus is. The differences are beings too; they exist. But if the nature of *ens* derives from *esse*, and if what *esse* primarily signifies is the essence of a single thing, then the nature of *ens* will be alien to the essences of other things. It will belong to things only in the manner of something added on. Its intrinsic signification will not embrace the diversity of things.

It is not that Berti entirely rejects the possibility of distinguishing between essence and *esse*. If the essence of a thing includes potentiality, then it will be distinct from the thing’s *esse*, which is solely its actuality. But the point is that the *esse* is strictly proportioned to the essence, what we might call a function of it. That is, *what a thing’s esse is* is a function of its essence. For a living thing, “to be” means “to live.” For a threshold, it means to have a certain position. There is



no third element that is simply "to be," with an independently constituted nature of its own, in which things "participate."<sup>19</sup> What is common to the *esse* of all things is only a proportionality (which is what Aristotle calls analogy): whatever the *esse* of a given thing is, it is related to the thing as its actuality.<sup>20</sup>

In short, despite Thomas's own talk of analogy, he would really be making *esse* something uniform, univocal.<sup>21</sup> He would not be seeing diversity as intrinsic to it, diversity rooted in its immediate connection with the various forms of things. If he were, then he could not "pull *esse* out" from things and posit one thing that is nothing but *esse* itself. Kenny puts it vividly:

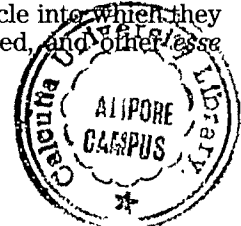
Many passages in Aquinas . . . suggest that *esse* is thought of as a vast reservoir of liquid that is given particular shape and form by being captured in various receptacles. You and I, and the ants and the planets, are small buckets of this universal fluid; God is the vast, limitless ocean.<sup>22</sup>

<sup>19</sup> "Indeed Aristotle could not allow that beings 'participate' in being, understood as an essence diverse from that which is proper to them and as existing by itself, because being for him is not an essence that something can participate in or that can exist by itself, but it is originally a multiplicity of essences existing in diverse ways, each [way of existing] cognate with each [essence]. This is what he means to say, when he affirms that being and one, although each has a diverse signification vis-à-vis the other, add nothing to the signification of what they accompany, such that to say 'man' or 'one man' or 'existing man' is the same"; Berti, PS, 191. See also Berti, AE, 32.

<sup>20</sup> Berti finds proportionality in Aristotle's notion of being, although it is never stated explicitly, "for it is applied to the ontological principles of all beings (the three elements and the four causes) [*Metaphysics* 13.4.1070a31–32], to their logical principles (non-contradiction and excluded middle) [*An. post.* 1.10.76a39], to their fundamental opposition (potency and act) [*Metaphysics* 9.6.1048a37], to the categories of being [*Metaphysics* 14.6.1093b17–21] and of the good [*Eth. Nic.* 1.4.1096b28]"; Berti, AE, 25. Perhaps we can also add *Metaphysics* 7.16.1040b16–19; see above, n. 14.

<sup>21</sup> Thomas's general doctrine of analogy is another part of the issue. Berti also finds "platonism" in the so-called analogy of attribution (see especially Berti, AE and AA). This question exceeds the scope of this paper, but below (at n. 84) I offer a few observations in support of the view that Thomas understands the common "nature" of *esse* as a proportionality. In relation to Berti's criticism, I think a full defense of Thomas's conception of the analogy of being would require showing that this very proportionality can be verified in diverse and ordered ways, *secundum magis et minus* or *per prius et posterius*. I mean, not only the things of which the proportionality is predicated, but also the truth of the proportionality itself, must admit such an order.

<sup>22</sup> Kenny, AB, 123. Similarly, "It is almost as if *esse* were a vast expanse of liquid, portions of which take the shape of the receptacle into which they are poured, so that some *esse* comes out elephant-shaped, and other *esse* comes out gadfly-shaped"; Kenny, AB, 72.





This brings us to what is perhaps the most important part of Berti's criticism. In his view, Thomas's *ipsum esse* is not just un-Aristotelian. It is also incompatible with something even dearer to Thomas than the wisdom of Aristotle: the transcendence of God. If God's essence consists precisely in *esse*,<sup>23</sup> then it is not something strictly proper to him. It does not belong to him exclusively.<sup>24</sup> That very essence is also present, albeit in diminished "modes," in all creatures.<sup>25</sup> The terms employed to distinguish God from other things seem to indicate only a diversity of conditions of this essence: separate versus inherent, subsistent versus participated, infinite versus finite. They do not display an essential diversity, diversity in *what* God is. The nature of water is the same, whether it is in the ocean or in a bucket. Kenny draws the final conclusion: Thomas's God is nothing other than the platonic Idea of *esse*.<sup>26</sup> It is the separate version of the essence common to all the instances of *esse*.<sup>27</sup>

The importance of the question, then, is evident. Berti also observes its timeliness:

Contemporary philosophy is particularly sensitive to the existence of differences, to the point that it has come to repropose the heideggerian conception, replacing the "ontological difference" between beings and being—which still always presupposes a univocal concept of being and risks subtracting being from the beings, that is, from the differences—with the simple differences among the beings. In agreement on this po-

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<sup>23</sup> Berti speaks of the "scholastic doctrine of God as a being whose essence is constituted by being itself"; Berti, PS, 186, n. 24. Further on I shall suggest that this is not exactly Thomas's teaching.

<sup>24</sup> In this sense being is like what Berti says about unity. "Undoubtedly the principle posited by Aristotle, namely the pure act, is also one, as we have seen, and in this respect it presents affinities with the principle posited by Plato; but what Aristotle now wants to show is that it is not enough to qualify it as one, since unity is not its essence, but it is necessary to say which one it is, or in other words, it is necessary to specify its essence by means of some determination that characterizes it in an exclusive way"; Berti, PS, 201. On the transcendence of God, see also Berti, AE, 32–3.

<sup>25</sup> Berti wonders whether the very idea of "grades" of *esse* does not imply a univocal notion: "In fact, where there are grades, there seems to be a common essence, participated, precisely, in diverse grades, since difference in grade, rather than being a difference of quality, or in other words of essence, seems to be a difference of quantity. But if there is a single essence, participated in diverse grades, then being has an essence, and so it is univocal, no longer analogical"; Berti, AE, 21. Berti holds that for Aristotle, "when the discussion applies to heterogeneous realities, the adverb *mallon* [more] does not indicate a more intense grade of the same essence, but rather an essence that possesses the common predicate in a primary way (*proteron*, in the sense of ontological antecedence, not just chronological)"; Berti, PS, 203, n. 112. He refers to *Metaphysics* 2.1.



sition today are existentialism, phenomenology, hermeneutics, methodological pluralism, yet without realizing that it contains *in nuce* the foundation of metaphysics, that is, the rational demonstration of the transcendence of the Absolute.<sup>26</sup>

This is what I propose to examine in the following pages: the role played by the distinguishing features of things—their essences, and especially their differences—in Thomas's ontology. I wish to suggest that they have a constitutive function, not only in the specific natures of the beings, but also in the nature of being, and even in the nature of *esse* itself. I have arranged the discussion so as to conclude with a consideration of Thomas's understanding of the relation between the nature of *esse* and the nature of the divinity.

### III

*As though constituted through the principles of the essence.* It would be otiose here simply to list texts in which Thomas directly expresses agreement with Aristotle's account of being. His professed

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<sup>26</sup> Kenny, AB, 113 and 121. We might also note that so understood, Thomas would be perfectly in line with the neoplatonic commentary on Plato's *Parmenides* that Pierre Hadot attributes to Porphyry; Pierre Hadot, *Porphyre et Victorinus*, 2 vol. (Paris: Études Augustiniennes, 1968). In this work, the nature of "to be" (εἶναι) is conceived as an actuality distinct from form (ibid., 1:489–90); and the first principle, the One, is presented as a pure "to be," above all form, and even as the Idea itself of "to be" (ibid., 1:132; 2:107). Hadot sees a clear influence of this doctrine in the *De hebdomadibus* of Boethius, through which it would have passed on to the Middle Ages and Thomas (ibid., 1:490–2). See also David Bradshaw, "Neoplatonic Origins of the Act of Being," *The Review of Metaphysics* 53 (1999): 383–401.

<sup>27</sup> "Plato conceived being as having only one meaning because he conceived it as a genus, that is to say as an universal predicate expressing only what is common to all things, i.e. only a single aspect of things. This was, in fact, the condition for conceiving it as a separate Form, i.e. Idea. And this was also the condition for conceiving being and one as the essence of a substance, i.e. being itself (*ipsum esse subsistens*) and one itself (*ipsum unum subsistens*). In conclusion, if primary substance is the essence of being, being must be understood univocally. If being has an essence, it is this essence. It cannot be many essences. But this is impossible; because we see many things, and their differences are existing and each of them is one. This is the core of Aristotle's criticism of Plato as it is expounded in *Metaph.* B 4. This criticism ultimately rests on the argument offered in *Metaph.* B 3, and the view that Being and One cannot be genera"; Berti, MU, 207.

<sup>28</sup> Berti, AE, 30–1.



agreement is itself part of the reason that his own notion of *esse* as *actus essendi* is said to involve him in incoherence. However, at least one such text, from his commentary on the *Metaphysics*, deserves to be recalled. It will serve to introduce some of the terms of the discussion.

The text concerns the passage in which Aristotle says that “one” and “being” add no distinct reality to what they are said of, and that the substance of a thing is one and a being *per se*, not *per accidens*. In explaining the first point, Thomas takes the occasion to remark that the name *ens* is taken from *actus essendi*.<sup>29</sup> This is already rather striking. If there is any tension between his *actus essendi* and what Aristotle is saying here, Thomas is completely oblivious to it.<sup>30</sup>

A few lines later, to explain the point that the substance of a thing is one and a being *per se*, not *per accidens*, Thomas says that one and being cannot be predicated of a thing “through some *ens* added to it.” This would yield an infinite regress. He then criticizes Avicenna for saying that *esse* is something added on to a thing’s essence. Instead, Thomas says,

even though the *esse* of a thing is other than its essence, it should not be thought of as something added on, in the manner of an accident; but rather, it is as though constituted through the principles of the essence. And therefore this name, *ens*, which is taken from *esse* itself, signifies the same as the name which is taken from essence itself [*res*].<sup>31</sup>

So we ought not to think of *esse* as another *ens* or as a diverse *res*. It is not an absolute or autonomous nature. Every *esse* is as though constituted through the principles of an essence. These would presumably be some matter and form, and chiefly some form. So understood, the relation between *esse* and essence is clearly very tight. For of course the essence itself can also be said to be constituted through

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<sup>29</sup> “Sciendum est enim quod hoc nomen homo, imponitur a quidditate, sive a natura hominis; et hoc nomen res imponitur a quidditate tantum; hoc vero nomen ens, imponitur ab actu essendi: et hoc nomen unum, ab ordine vel indivisione”; CM, bk. 4, lect. 2, §553.

<sup>30</sup> On this see Ralph McInerny, “Do Aristotelian Substances Exist?,” *Sapientia* 54 (1999): 325–38.

<sup>31</sup> “Esse enim rei quamvis sit aliud ab eius essentia, non tamen est intelligendum quod sit aliquod superadditum ad modum accidentis, sed quasi constituitur per principia essentiae. Et ideo hoc nomen ens quod imponitur ab ipso esse, significat idem cum nomine quod imponitur ab ipsa essentia”; CM, bk. 4, lect. 2, §558. Translations of Thomas throughout this paper are mine.



those same principles. They are its components. Kenny in fact wonders how, on this account, *esse* and essence can be said to differ at all.<sup>32</sup>

I take it that part of the answer would be that although the *esse* is "as though" constituted through the principles of the essence, these are not to be understood as its very components. Thomas's constant teaching is that every *esse* is something simple. It cannot be composed of matter and form. He must only mean that it is somehow proportioned to the matter and form comprising a thing's essence. However, this would not be sufficient to express the difference between *esse* and essence in every case in which Thomas holds that they differ: that is, in all creatures. For the essences of some creatures are not composed of matter and form, but are simply forms. So there must also be some more general difference, applying both to material and immaterial creatures. I shall try to bring out such a difference in the next section of the paper.

The *Metaphysics* commentary is a rather late work of Thomas's. But the way of conceiving *esse* set forth there is not at all a novelty for him. To cite just one example: in the *De potentia*, Thomas criticizes Avicenna in the very same way. The *esse* of a substance is not in the genus of accident. Even if it is not part of the essence, it is the very act of the essence, *actus essentiae*.<sup>33</sup> In works from every stage of Thomas's career, we find similar formulations of the nature of *esse*: *actus essentiae*, *actualitas essentiae*, *actualitas formae*, and so on.<sup>34</sup> In the *Summa theologiae*, he uses such an expression to distinguish *esse*

<sup>32</sup> Kenny, AB, 175.

<sup>33</sup> "Esse non dicitur accidens quod sit in genere accidentis, si loquamur de esse substantiae—est enim actus essentiae—sed per quamdam similitudinem: quia non est pars essentiae, sicut nec accidens"; Thomas Aquinas, *Quaestiones disputatae de potentia dei* (hereafter, "DP"), in *S. Thomae Aquinatis Quaestiones disputatae*, vol. 2, ed. M. Pession (Turin: Marietti, 1954), q. 5, a. 4, ad 3.

<sup>34</sup> See, for example, Thomas Aquinas, *Scriptum super libros Sententiarum* (hereafter, "In Sent."), ed. P. Mandonnet and M. Moos (Paris: Lethielleux, 1929–37), bk. 1, d. 4, q. 1, a. 1, ad 2; d. 19, q. 5, a. 1, obj. 1; d. 33, q. 1, a. 1, ad 1; d. 37, q. 1, a. 2; *Quaestiones disputatae De veritate* (hereafter "DV"), q. 10, a. 1, obj. 3 (Leonine ed., vol. 22); *Quaestio disputata De spiritualibus creaturis* (hereafter, "DSC"), in *S. Thomae Aquinatis Quaestiones disputatae*, vol. 2, ed. M. Calcaterra and T. S. Centi (Turin: Marietti, 1954), q. un., a. 11; *Summa theologiae* (hereafter "STh"), I, q. 54, a. 1; EP, bk. 1, lect. 5 (Leonine ed., vol. 1\*1.31, ll. 397–403). See also DP, q. 9, a. 5, ad 19.



from action. "An action is properly the actuality of a power (*virtutis*), as an *esse* is the actuality of a substance or an essence."<sup>35</sup>

It seems clear then that Thomas would have no objection to the idea that *esse* is always strictly proportioned to the essence of its subject, as a function thereof: quite the contrary. In relation to our theme, one set of texts in which this idea emerges is especially striking. It is a line of argument that Thomas uses rather frequently in support of the very thesis that *esse* and essence in things other than God must be distinct. This will be the focus of the next section. I should mention that in presenting this argument, my chief concern is not with whether it serves to show the distinction to be a "real" one. What mainly interests me is the conception of *esse* involved in it.

#### IV

*Differing according to esse.* The argument appears in various versions in different works. I suppose the best known version is that of the *Summa theologiae*. It is part of the fifth article in the question on God's simplicity (I, q. 3). This article comes immediately after the discussion of the identity, in God, of *esse* and essence. It concerns whether God is in a genus. Thomas wants to show that the divine nature does not have a definition, a formula composed of genus and differentia. That is, the conception or *ratio* that properly expresses the divine nature must be perfectly simple.

Thomas gives three arguments to show that God is not in a genus as a species. The first is that the principle of a thing's genus is related to the principle of its differentia as potency to act<sup>36</sup> and that in God there is nothing potential. The second is that since God's essence is His *esse*, and since a thing's genus signifies its essence, His genus would have to be *ens*; but *ens* cannot be a genus, because the differentiae would be outside *ens*. A *non ens* cannot be a differentia.

The third argument is the one that interests us. Things that are in a genus, Thomas says, share in the quiddity or essence of the genus;

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<sup>35</sup> "Actio enim est proprie actualitas virtutis; sicut esse est actualitas substantiae vel essentiae"; STh I, q. 54, a. 1. Similarly: "sicut autem ipsum esse est actualitas quaedam essentiae, ita operari est actualitas operativae potentiae seu virtutis"; DSC, q. un., a. 11.

<sup>36</sup> On this point see CM, bk. 8, lect. 2, §1697; STh I, q. 76, a. 3, ad 4.



and the genus is predicated of them essentially, *in quod quid est*. Yet they differ according to *esse*. The *esse* of man is not the same as the *esse* of horse, nor is the *esse* of this man the same as the *esse* of that man. Hence, for anything in a genus, *esse* and *quod quid est*, or *esse* and essence, differ. But in God they do not differ. So God is not in a genus, and He has neither genus, nor differentia, nor definition.<sup>37</sup>

It is a difficult argument. However, it has the advantage of distinguishing between essence and *esse* in a way that applies even to the creatures whose essences are not composed of matter and form—the immaterial creatures, the angels. Thomas holds that the angels constitute a genus divided into species, each with its own differentia.<sup>38</sup> In their case too, we may note, *esse* is proportioned to essence. An angel's essence, Thomas says, is the "*ratio* of its whole *esse*"; it is so insofar as it is "such" an essence (*talīs essentia*), the specific essence that it is, "according to its proper *ratio*."<sup>39</sup> In the same article, Thomas affirms universally that "the *esse* of any creature whatsoever is determined to one according to genus and species."<sup>40</sup> So we are dealing with a teaching meant to extend to all created beings. Drawing upon related passages from other works, I understand it as follows.<sup>41</sup>

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<sup>37</sup> "Tertio, quia omnia quae sunt in genere uno, communicant in quidditate vel essentia generis, quod praedicatur de eis in eo quod quid est. Different autem secundum esse, non enim idem est esse hominis et equi, nec huius hominis et illius hominis. Et sic oportet quod quaecumque sunt in genere, differant in eis esse et quod quid est, idest essentia. Unde manifestum est quod deus non est in genere sicut species. Et ex hoc patet quod non habet genus, neque differentias; neque est definitio ipsius"; STh I, q. 3, a. 5.

<sup>38</sup> STh I, q. 50, a. 2, ad 1; I, q. 50, a. 4, c. and ad 1. Thomas is clear about the fact that angels have true differentiae, even though we cannot reach a proper understanding of them: see Thomas Aquinas, *De ente et essentia* (hereafter, "DEE"), ch. 5 (Leonine ed., vol. 43, p. 379, ll. 72–6).

<sup>39</sup> STh I, q. 54, a. 2, ad 2; see I, q. 7, a. 2.

<sup>40</sup> "Esse autem cuiuslibet creaturae est determinatum ad unum secundum genus et speciem"; STh I, q. 54, a. 2.

<sup>41</sup> The related passages are DEE, ch. 5 (Leonine ed., vol. 43, 378, ll. 7–14, quoted below, n. 42); *In Sent.*, bk. 1, d. 8, q. 4, a. 2, s.c. 2; *In Sent.*, bk. 1, d. 35, q. 1, a. 4; DV, q. 2, a. 11 (quoted below, n. 50); DV q. 27, a. 1, ad 8; DP, q. 7, a. 3; *Summa contra gentiles* (hereafter, "SCG"), bk. 1, ch. 25 ("Item. Quicquid est..."); CT, p. 1, ch. 14. A helpful survey of the various texts, under the heading of "The 'Genus' Argument," is found in John F. Wippel, *The Metaphysical Thought of Thomas Aquinas. From Finite Being to Uncreated Being* (hereafter, "MTTA"), Monographs of the Society for Medieval and Renaissance Philosophy 1 (Washington, D.C.: The Catholic University of America Press, 2000), 157–61.



The first step is that things in a genus share in the quiddity or essence, the "what it is," of the genus. This means that the proper *ratio* of the genus, its intrinsic intelligible content, is the same in each case. The genus is said univocally of its members. The *ratio* signified by "animal" is the same when it is said of horses and when it is said of men. Horses and men are animals, and they do not differ with respect to what an animal is. Likewise, Socrates and Plato do not differ with respect to what a man is. Here we can note that although the argument is being used to make a point about things in a genus, Thomas clearly takes it to be applicable also to things in a common species. It applies to any being whose nature has something univocal in common with the nature of some other being. This is explicit in some of the parallel texts.<sup>42</sup>

The next step is that even though *esse* belongs to all things, they differ with respect to it. How so? Thomas does not spell this out here. But both the logic of the argument and some of the parallel texts leave little doubt about it.

It is not just that things have distinct instances of *esse*. If man and horse have distinct instances of *esse*, they also have distinct instances of the nature of animal. They are not the same animal. But the point would be that these instances of the nature of animal are not distinct on account of anything in the very nature of animal. In itself, or according to its own *ratio*, the nature of animal is entirely one and the same. It is diversified only *per accidens*, or through association with something extrinsic to its proper *ratio*; namely, some differentia. By contrast, between diverse instances of *esse*, the diversity is never solely through association or *per accidens*. It is intrinsic. Things are diverse "according to" *esse*. For each thing, there is something which is its *esse*; but what this something is for one thing differs from what it is for another. The *ratio* of animal remains the same when said of distinct animals, but the *ratio* of *esse* does not.<sup>43</sup> If what *esse* is were the same for two things, then they would not really be two, but only one: that is, one being (*ens*).<sup>44</sup>

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<sup>42</sup> For example: "essentia sua [scil. Dei] non est aliud quam esse eius. Et ex hoc sequitur quod ipse non sit in genere; quia omne quod est in genere oportet quod habeat quiditatem preter esse suum, cum quiditas uel natura generis aut speciei non distinguatur secundum rationem nature in illis, quorum est genus uel species, sed esse est diuersum in diuersis"; DEE, ch. 5 (Leonine ed., vol. 43, p. 378, ll. 7–14).



In effect, then, this argument seems to complement the article's preceding argument, which reasoned that God cannot be in a genus because *ens* cannot be a genus.<sup>45</sup> *Ens* is not a genus because it is not diversified solely by something outside its own signification, a *differentia*. When said of diverse things, its own signification differs. But what it signifies is the *esse* of whatever it is said of. So the *esse* of one thing must be intrinsically diverse from that of other things. And, it must be so just insofar as the thing is an *ens*; which is to say, *in every respect*. So if something is in a genus, its essence cannot be its *esse*, because its essence is not in every respect diverse from the essences of other things in the genus. What it is is partly the same as what the others are. But it is not even partly the same *ens* as the others.

Is Thomas urging us to think of *esse* as something inconceivable, defying formulation? This would not particularly favor the judgment that it is something diverse in each thing. What he says is that the *esse* of a man is not the same as that of a horse, and that the *esse* of this man is not the same as the *esse* of that. The basic thought, I believe, is that for a horse, to be is to be a horse. For a man, to be is to be a man.<sup>46</sup> For Socrates, it is to be Socrates. *Esse* is diverse in each

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<sup>43</sup> Kenny does not seem to have grasped this. Speaking of DP, q. 7, a. 3, he says: "everything shares the thin and universal predicate [*esse*]*—it is the very same predicate that is true of each and every item—but . . . each thing has its very own individual instance of that predicate. In the same way, if two peas are as alike as two peas can be, they will share the very same shade of green, but nonetheless the greenness of the pea on the right of my plate is a different entity from the greenness of the pea on the left of my plate*"; Kenny, AB, 122. For Thomas, what Kenny says about greenness would be correct; but Thomas is maintaining precisely that *esse* is not like greenness in this respect. *Esse* is not the very same predicate*—it is not the same in signification or ratio—in any two cases. The ratio of esse is diverse in diverse things.*

<sup>44</sup> Thus in SCG, bk. 1, ch. 25 ("*Item. Quicquid est...*"), he gives this simple reason why things in a genus must differ *secundum esse*: "*alias genus de pluribus non praedicaretur.*"

<sup>45</sup> This is in fact how Thomas glosses the *De potentia* version of the argument: "*nihil ponitur in genere secundum esse suum, sed ratione quidditatis suae; quod ex hoc patet, quia esse uniuscuiusque est ei proprium, et distinctum ab esse cuiuslibet alterius rei; sed ratio substantiae potest esse communis: propter hoc etiam Philosophus dicit, quod ens non est genus. Deus autem est ipsum suum esse: unde non potest esse in genere*"; DP, q. 7, a. 3 (see also *In Sent.*, bk. 1, d. 35, q. 1, a. 4, c.).

<sup>46</sup> "*Esse enim hominis terminatum est ad hominis speciem, quia est receptum in natura speciei humanae; et simile est de esse equi, vel cuiuslibet creaturae*"; DP, q. 1, a. 2.



case—what it is, its intrinsic *ratio*, differs—because it is constituted according to diverse essential principles.<sup>47</sup>

If this reading is correct, then the striking thing is that Thomas is using the very proportion between a thing's essence and its *esse* to show a distinction between them. The distinction is not between the essence of a horse and some alien or absolute nature which is nothing but "*esse*." It is between the essence of a horse and the act of being a horse. How is the distinction to be understood?

Perhaps some help is afforded by recalling the article's first argument. Genus and differentia stand in a relation of potency and act. In the *Metaphysics*, Aristotle argues that this is the only way to account for the unity of a true definition. Even though the definition contains many words, what it defines is nonetheless one, and a being, *per se*.<sup>48</sup> Thomas is presupposing that the genus of a thing does not exist in act on its own, independently of its various species and of their differentiae. The genus has *esse* only in conjunction with and according to some differentia.<sup>49</sup>

What this means is that in a man, the act of being an animal is the very same thing as the act of being a man, and of being rational. Such an act of being is of course proper to men. But the nature of animal is not proper to men. It also belongs to horses. And in a horse, the act of being an animal is the same as the act of being a horse, and of whatever the differentia of a horse is. So it is at least clear that the nature of animal and an act of *being an animal* are never quite the same. More generally, no common and univocal feature will be quite the same as an act of being that feature. As Thomas says in the *De veri-*

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<sup>47</sup> Thomas says that this is how we distinguish between one *esse* and another: by identifying the distinct natures that they are the *esse* of. ("Life," for example, means the *esse* of something that is of such a nature as to move itself.) See DP, q. 7, a. 2, ad 9. This does not mean that there is not an intrinsic diversity between one *esse* and another; rather, we get at the intrinsic diversity through the diversity in their proper subjects. As he explains in the same place, it is in a similar way that we distinguish the forms of different kinds of things: by identifying the matter proper to each (as soul is defined as the act of a physical organic body). Clearly the forms of different kinds of things are intrinsically diverse.

<sup>48</sup> *Metaphysics* 7.12.1037b8–38a35; 8.6.1045a8–b24.

<sup>49</sup> "Impossibile est enim aliquid esse in actu nisi omnibus existentibus quibus esse substantiale designatur: non enim potest esse animal in actu quin sit animal rationale vel irrationale"; SCG, bk. 1, ch. 24. More succinctly: "Ex genere enim habetur quid est res, non autem rem esse; nam per differentias specificas constituitur res in proprio esse"; CT, pt. 1, ch. 13.



tate, man (*homo*) is not the same as being man (*hominem esse*), and knowledge (*scientia*) is not the same as being knowledgeable (*esse scientem*).<sup>50</sup>

It might seem as though a thing's act of being is nothing other than its differentia or its distinguishing *ratio*. But this cannot be right either, because even though the thing's act of being is not identical with its genus, it is nonetheless determined according to the genus.<sup>51</sup> For again, the genus is predicated of it *in quod est*. It is part of the definition expressing the thing's essence, through whose principles the thing's act of being is constituted. Man's act of being, for example, is not only an act of being rational, but also an act of being an animal. It is an act of being a rational animal. To identify his act of being with his differentia would thus lead to absurdity. It would mean that man could be defined as an animal being a rational animal.<sup>52</sup>

So the *esse* of a thing cannot be identified either with its genus or with its differentia. It is somehow a function of both. But a serious question still remains. It is similar to the one posed by Kenny. He asked how, if *esse* is constituted by the principles of the essence—the matter and form—it can be said to differ from the essence, which is also constituted by these same principles. We can likewise ask how, if a thing's *esse* is to be understood in terms of its genus and differentia,

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<sup>50</sup> "Illa enim quae secundum eandem rationem sunt in diversis, sunt eis communia secundum rationem substantiae sive quidditatis, sed sunt discreta secundum esse. Quidquid autem est in Deo, hoc est suum proprium esse; sicut enim essentia in eo est idem quod esse, ita scientia est idem quod esse scientem in eo; unde, cum esse quod est proprium unius rei non possit alteri communicari, impossibile est ut creatura pertingat ad eandem rationem habendi aliquid quod habet Deus, sicut impossibile est quod ad idem esse perveniat. Similiter etiam esset in nobis: si enim in Socrate non differret homo et hominem esse, impossibile esset quod homo univoce diceretur de eo et Platone, quibus est esse diversum"; DV, q. 2, a. 11.

<sup>51</sup> See above, n. 40.

<sup>52</sup> For similar reasons, the *esse* of an individual belonging to a common species cannot be identified with its "principle of individuation." Although the *esse* of one individual is intrinsically diverse from that of others, this diversity presupposes and results from diversity in the constitution of the *esse*'s subject, that is, diversity either in form or at least in matter. For simplicity's sake I concentrate here on the diversity of *esse* in things of a common genus that differ in species, but the discussion would apply, *mutatis mutandis*, to distinct individuals of a common species. On Thomas's not regarding *esse* as the principle of individuation in creatures, see Lawrence Dewan, "The Individual as a Mode of Being According to Thomas Aquinas," *The Thomist* 63 (1999): 403–24.



it differs from the thing's whole essence. For the same can be said of the essence itself. Genus and differentia are the parts of the thing's definition, which is the formula expressing the understanding of its essence.

To Kenny's question, I suggested that a plausible answer would be that the *esse* is not strictly composed of matter and form, as the essence is. Rather, the *esse* would be something simple, though with a constitution proportioned both to the matter and to the form. The difference then would be that whereas the essence is composite, or has parts, the *esse* is simple. The answer to our question, I believe, will turn out to be similar to this. However, it will also differ in an important way. Considering this difference will help to formulate it.

The answer cannot quite be that while the *esse* of a creature is simple, its essence is composed of genus and differentia. The distinction between genus and differentia is not properly a distinction between components or parts of a thing's essence. This is clearest in the case of angels, whose essences are said to be incomposite realities, the essences of pure forms. The only substantial composition in them is that of their essence and their substantial *esse*.<sup>53</sup> But not even the essence of a corporeal substance is properly composed of genus and differentia. For a corporeal substance has only one substantial form; and this simple form is a principle not only of its differentia but also of all the genera that are predicable of it. It is not in virtue of his matter alone that a man is an animal, or a living organism, or even a body. He is all of these in virtue of the composition of his matter and his one form—the same form in virtue of which he is rational.<sup>54</sup> In other words, the whole constitution of a thing's essence underlies both its genus and its differentia. A sign of this is that both the genus and the differentia are predicated *per se* of the thing as a whole.<sup>55</sup>

But they signify its essence according to distinct intelligibilities or *rationes*. This is what genus and differentia properly compose: the

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<sup>53</sup> See STh I, q. 50, a. 2, ad 3.

<sup>54</sup> See DEE, ch. 2 (Leonine ed., vol. 43, p. 373, ll. 223–36); STh I, q. 76, a. 3, c. & ad 4; a. 4; a. 6, ad 1; DSC, q. un., a. 1, ad 24; Thomas Aquinas, *De substantiis separatis* (hereafter "DSS"), ch. 5 (Leonine ed., vol. 40, p. D-50, ll. 88–124). It is true that in things composed of matter and form, there is a certain correspondence between genus and matter, and between differentia and form; but the correspondence is not a strict identity. On this see DEE, ch. 2 (Leonine ed., vol. 43, p. 372, ll. 135–207); *In Sent.*, bk. 2, d. 3, q. 1, a. 5; CM, bk. 10, lect. 10, §2115–16.

<sup>55</sup> See DEE, ch. 2 (Leonine ed., vol. 43, p. 371, ll. 96–104); CM, bk. 8, lect. 2, §1697; CM, bk. 10, lect. 10, §2114.



whole essential *ratio* of the thing, its definition.<sup>56</sup> They are distinct intelligible dimensions that the thing essentially instantiates. The distinction reflects our mind's way of getting at a thing's essence, which is by comparing and contrasting it with other things.<sup>57</sup> It is a logical distinction.

However, we should not lose sight of the fact that the *ratio* which breaks down into genus and differentia is indeed a thing's definition, its essential formula. Genus and differentia are predicated *in quod quid est*. Each captures a dimension of what the thing is. The essences of things—created things—really lend themselves to this way of understanding. The distinction between genus and differentia in the understanding of creatures is not like the distinction among the meanings of the various names that we can give to God. Our best understanding of God consists of a multiplicity of *rationes* only because it is a deficient understanding. Although we can give him many true names, and even names that are true of him in *virtue* of his essence, none of them adequately expresses or represents his essence. Nor do all of them together.<sup>58</sup> None of them quite captures even a dimension of what he is. What he is does not have distinct "dimensions." The *ratio* that expresses his essence cannot be a definition; it must be utterly simple. Proof of this, Thomas is arguing, is that God's essence is identical with his *esse*. No *esse* yields a *ratio* that breaks down into genus and differentia.

This then seems to be how a creature's *esse* differs from its essence, according to the present argument. The essence is such that its *ratio* can be analyzed into parts. It is composed of a number of simpler *rationes*. Even when the essence is nothing but form, it has distinct intelligible dimensions. There is an indeterminate dimension that belongs also to other kinds of things, the genus; and there is a determining dimension that puts the thing in contrast with those others, the differentia.<sup>59</sup> Of course the thing cannot have one of these dimensions without the other. Both are essential to it. Still, they are quite distinct *rationes*. The differentia is not in the *ratio* of the genus; otherwise no member of the genus would be without that differentia.

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<sup>56</sup> See DEE, ch. 2 (Leonine ed., vol. 43, p. 372, ll. 207–17).

<sup>57</sup> See STh I, q. 87, a. 1 (near the end of the corpus).

<sup>58</sup> See STh I, q. 13, a. 1; a. 2, ad 1 and ad 3; a. 4.

<sup>59</sup> On genus and differentia as indeterminate and determining, see DEE, ch. 2 (Leonine ed., vol. 43, p. 373, ll. 223–42); STh I, q. 50, a. 2, ad 1.



And the genus is not in the *ratio* of the differentia, for the reasons given by Aristotle.

The *ratio* of a thing's *esse* cannot be analyzed in this way. To be sure, as we have seen, the *ratio* of its *esse* is a *function* of its genus and differentia (and in this it differs from the *ratio* of the divine *esse*, which is not such a function). The substantial *esse* of a man is an act of "being a man," which is to say, "being a rational animal." But although we can also use less complete expressions to refer to it, such as "being rational" or "being an animal," this is not to break it down into genus and differentia.<sup>60</sup> Man's *esse* does not have a generic dimension that is univocally common to all animals, joined with another, differentiating dimension that makes it proper to man. Even when we call it "being an animal," we must understand this in such a way that what it signifies is proper to man.<sup>61</sup> If something is in a genus, then part of the *ratio* of what it is is exactly the same as part of the *ratio* of what some other things are. But the *ratio* of its *being* what it is is entirely proper to it.

In short, the essence of something in a genus instantiates many intelligible dimensions, but the *ratio* of its *esse* is simpler. And yet it is not simpler in the way that the genus or the differentia are, namely, by being one of those very dimensions. Once more, the *esse* presupposes and is proportioned to the whole constitution of the essence. Its own *ratio* is a function of that of the essence, because it is nothing other than the actuality of the essence—of all its dimensions together.<sup>62</sup> I think we can say that the *esse* is the act proportioned to the *unity* of the various dimensions of the essence. In the *esse*, the intelligible dimensions of the essence are as it were perfectly fused, more

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<sup>60</sup> A sign that being an animal and being rational are not related as genus and differentia is that they have an element in common: "being." Yet they do not express two distinct acts of being, as being a man and being white do. Both signify a man's one substantial act of being.

<sup>61</sup> As discussed above (p. 285), it is not that things differ according to *esse* in the same way that they differ according to their . . . differentiae. Man's act of being rational, and a horse's act of being whatever the differentia of a horse is, are both acts of being an animal. Only, what being an animal signifies in the two cases is not entirely the same. Yet there is an analogy between them, such as to allow for the same expression. By contrast, the horse's differentia cannot be termed "rational" even by analogy. The horse is *not* rational. However, even between man's act of being rational and a horse's act of being whatever the differentia of a horse is, there is still some analogy, according to which both are called acts of being.



perfectly than in the essence itself. It is more formal.<sup>63</sup> This does not mean more general, but rather, more concentrated. The *esse* is the "point" of the essence. Nor is it a mere further specification, just one more dimension. It is expressed by a verb. It is more like the event, or the exercise, of the essence. (Kenny cites a remark by Gilbert Ryle to the effect that existing is something like breathing, only quieter.<sup>64</sup>)

## V

*God is his act of being.* One thing that emerges very clearly in the argument just examined, I believe, is that in distinguishing the essence of a thing from its act of being, Thomas is not thinking of the act of being as something to which no qualifying predicate can be added. The act of being of a man is qualified according to the essence or the form of man. It is an act of being a man. If we need confirmation of this, we may consider another passage from the *Summa theologiae*, in which

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<sup>62</sup> In the judgment of John Wippel, if Thomas's argument does not involve a *petitio principii*—that is, if it does not presuppose a real distinction between *esse* and essence in things that are in a genus or a species—then "as it first appears in the argument, *esse* may signify nothing more than a particular actually existing member of a generic or specific class, that is, a particular concrete existent"; Wippel, MTTA, 161. Yet "Thomas himself would not allow for real distinction between a universal intelligible content and a particular instantiation of the same" (ibid.). But on the interpretation that I am proposing, what *esse* initially signifies in the argument is simply the actuality of a thing's essence. A certain property of it is then isolated, namely, that its *ratio* contains nothing univocally common. From this it is concluded that in a thing belonging to a genus, *esse* and essence cannot be identical, since the *ratio* of the essence does contain something univocally common. That the concrete existent cannot be identical with its *esse* would follow by the same reasoning. As for the "real distinction," the argument does seem to assume that both essence and *esse* are real. Neither is a negation or a relation of reason; each is a perfection of the thing. Does the argument show that they are distinct perfections? Might they be one simple perfection, considered merely according to distinct *rationes*, like genus and differentia in an angel? Certainly the argument shows that the *ratio* of the essence is neither identical with nor part of the *ratio* of the *esse*. What I am suggesting is that it also assumes, as basis for the premise of the diversity of *esse* in diverse things, that the *ratio* of a thing's *esse* is determinate, and that it is a function of the determinate *ratio* of the thing's essence. This means that the *ratio* of the *esse* is not part of the *ratio* of the essence, and that they are not related as indeterminate and determining. The overall result, I believe, is that they cannot be *rationes* of the same perfection.

<sup>63</sup> *Esse* is "*maxime formale*": STh I, q. 7, a. 1.

<sup>64</sup> Kenny, AB, 59.



Thomas offers a truly fundamental formulation of the principal meaning of "a being" (*ens*).

Since "a being" properly bespeaks something's being in act, and act properly has order to potency, that according to which something is called "a being" unreservedly (*simpliciter*) is that according to which it is first set off from what is merely in potency. But this is the substantial *esse* of each thing. And hence each is called "a being" unreservedly in function of its substantial *esse*.<sup>66</sup>

So *esse*, in the full sense, means nothing other than the substantial *esse* of something. For Socrates, to be is the same as to be a man. His beginning or ceasing to be a man is the same as his beginning or ceasing to be simply. It is true that the statement "Socrates is" does not mean the same as the statement "Socrates is a man." The first says that Socrates is in act, "set off from what is merely in potency"; the second says that he actually has human nature. But the point would be that the two statements are true in virtue of one and the same act, which is Socrates' substantial *esse*.<sup>66</sup> This does not mean that no further *esse* can be added to him. But what is added will be a merely secondary *esse*, constituted according to some accident. Thus the passage continues:

in function of acts added on, something is said to be in a way (*secundum quid*), as "to be white" signifies to be in a way; for to be white does not take away being in potency simply, since it accrues to a thing that already exists in act.<sup>67</sup>

Besides a thing's substantial act of being, which it has through its substantial form, and the eventual additional acts of being that it acquires

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<sup>66</sup> "Cum ens dicat aliquid proprie esse in actu, actus autem proprie ordinem habeat ad potentiam; secundum hoc simpliciter aliquid dicitur ens, secundum quod primo discernitur ab eo quod est in potentia tantum. Hoc autem est esse substantiale rei uniuscuiusque; unde per suum esse substantiale dicitur unumquodque ens simpliciter"; STh I, q. 5, a. 1, ad 1. As Thomas indicates a few pages later, the substantial *esse* of a thing is nothing other than the *esse* that it has in virtue of its substantial form: "Prima perfectio ignis consistit in esse quod habet per suam formam substantialem"; STh I, q. 6, a. 3.

<sup>66</sup> Thus Thomas both distinguishes and connects the "existential" and copulative senses of the verb "*est*"; see EP, bk. 1, lect. 5 (Leonine ed., vol. I\*1, p. 31, ll. 382–407).

<sup>67</sup> "Per actus autem superadditos, dicitur aliquid esse secundum quid, sicut esse album significat esse secundum quid; non enim esse album aufert esse in potentia simpliciter, cum adveniat rei iam praeexistenti in actu"; STh I, q. 5, a. 1, ad 1.



through some accidental form, there is no other act of being in the thing. There is no such thing as an act of being that is not constituted according to some form.

Now, Kenny at least is quite clear that Thomas does not think of the *esse* of creatures as something unqualifiable.<sup>68</sup> Every created being has *esse* through a form, and its *esse* can be qualified by a predicate corresponding to its form. But when Thomas speaks of the *esse* of God, Kenny says, he does indeed seem to introduce an unqualifiable *esse*. God is *esse tantum*, *esse purum*, *esse sine additione*—*ipsum esse*. Kenny takes such expressions to mean that God's *esse* admits no predicate at all.<sup>69</sup> God just *is*, without being any kind of thing—without form.

Kenny thinks this is absurd.<sup>70</sup> I think he is right. But in my opinion, it is not what Thomas means.

Certainly the argument that God is not in a genus, on account of the identity of his *esse* with his essence, does not imply that his *esse* is unqualifiable.<sup>71</sup> It only implies that his *esse* is not qualified according to some principle distinct from it. It will be an *esse* that is totally unconditional. Everything in God is identical with his *esse*. In other words, the argument does not suppose that God's essence is identical with "*esse*," taken abstractly or by itself. It only supposes the identity of the essence of God with the *esse* of *God*—whatever such *esse* is. Whereas man is other than being man, and knowledge is other than being knowledgeable, God is not other than being God.

This is a crucial point. Kenny in fact grants that if Thomas only means that God is "an" *esse* itself—not sheer "being itself," but his

<sup>68</sup> See Kenny, AB, 151–2.

<sup>69</sup> "There is one type of being where no predicate can be attached, where something just is, full stop. This type of being is unique to God"; Kenny, AB, 191.

<sup>70</sup> See Kenny, AB, 110–12.

<sup>71</sup> Clearly his *esse* is not a "substantial" *esse*, in the sense of the *esse* of something in the genus of substance; and even less is it an "additional" *esse*. "Quidquid autem creatura perfectionis habet ex essentialibus principiis et accidentalibus simul coniunctis, hoc totum deus habet per unum suum esse simplex"; DV, q. 21, a. 5. (See also STh I–II, q. 18, a. 1.) "Substantial" signifies a particular mode of *esse*. But rather than to say that God has no mode of *esse* (cf. Kenny, AB, 112), Thomas says that he has a universal mode: "Ea quae a primo ente esse participant, non participant esse secundum universalem modum essendi, secundum quod est in primo principio, sed particulariter secundum quendam determinatum essendi modum qui convenit vel huic generi vel huic speciei"; DSS, ch. 8 (Leonine ed., vol. 40, p. D-50, ll. 199–204). On what this means, compare with the text quoted below, n. 89.



own being, itself—then he may avoid platonism.<sup>72</sup> What yields platonism is making being itself, taken by itself, a single essence or a single subsistent.

Still, Kenny judges, Thomas at least shows confusion in speaking of God simply as *ipsum esse*.<sup>73</sup> That God is his own being does not entitle us to say that he is “being itself.” Here Kenny introduces some sophisticated considerations from Frege. But as far as Thomas is concerned, it seems to me that we ought to consider something much more elementary. This is that he writes in Latin.

Latin does not have definite and indefinite articles. The one phrase, *Socrates est homo*, may mean either that Socrates is a man, or that Socrates is the man, or simply that Socrates is man. The context will determine which meaning is intended. So when Thomas writes, *Deus est ipsum esse*, should we simply take it for granted that he means “God is being itself”? Such a translation is already an interpretation—a platonizing one. That God is his *esse* may well not justify saying that he is “*esse* itself.” But it certainly does justify saying that He is “an” *esse* itself, “a” very act of being. I think this turns out to be much closer to what Thomas has in mind.<sup>74</sup>

Aside from the grammatical considerations, we should at least take note of the fact that Thomas is very far from denying that God has—or rather is—a form. Earlier in the question on God’s simplicity, Thomas says that God is *per essentiam suam forma*; later in the *Summa* he says that God *maxime est forma simplex*.<sup>75</sup> Of course this does not mean that God can be defined. Nor can we grasp his form as it is in itself, in its quiddity.<sup>76</sup> We may grasp the truth that a God exists; but, as Thomas puts it in the *Summa contra gentiles*, we cannot grasp the *esse* “by which God subsists in Himself, whose quality—*quale sit*—is unknown to us, as His essence is.”<sup>77</sup> It is clear, however, that the word *esse*, by itself, does not express what God “consists” in. The *esse* of God is “qualified” in some way, a way unknown to us. If it is not unknown to God, this is because God does know his

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<sup>72</sup> Kenny, AB, 145–7. He quotes Peter Geach: “When Aquinas tells us that God is wisdom itself, *Deus est ipsa sapientia*, he is not meaning that God is that of which the noun ‘wisdom’ is a proper name; for the Platonists are wrong in thinking that there is such an object, and Aquinas says they are wrong. But we can take it to mean that ‘God’ and ‘the wisdom of God’ are two names of the same thing”; Peter Geach, “Form and Existence,” in *Aquinas: A Collection of Critical Essays*, ed. Anthony Kenny (London: Macmillan, 1969), 39.

<sup>73</sup> Kenny, AB, 146.



essence. According to Thomas, the divine essence is an intelligible form and a species (though of course not a species of a genus); indeed, it is that through which God himself is "specified."<sup>78</sup> And God himself is his own very *esse*. This is not a formless *esse*.<sup>79</sup>

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<sup>74</sup> It may help to note that Thomas employs a very similar expression, "*ipsa forma subsistens*," to describe an angel: "Subtracta ergo materia, et posito quod ipsa forma subsistat non in materia, adhuc remanet comparatio formae ad ipsum esse ut potentiae ad actum. Et talis compositio intelligenda est in angelis. Et hoc est quod a quibusdam dicitur, quod angelus est compositus ex quo est et quod est, vel ex esse et quod est, ut Boetius dicit, nam quod est est ipsa forma subsistens; ipsum autem esse est quo substantia est, sicut cursus est quo currens currit"; STh I, q. 50, a. 2, ad 3. And a little later: "cum angelus sit ipsa forma subsistens, ut ex dictis patet, impossibile est quod eius substantia sit corruptibilis . . . Sed si ipsa forma subsistat in suo esse, sicut est in angelis, ut dictum est, non potest amittere esse"; STh I, q. 50, a. 5. Obviously Thomas does not mean that an angel is "form itself" subsisting, as though the nature of the angel were nothing other than the absolute nature of "form." An angel is *a* form itself, subsisting; indeed, one among many. The created subsistent forms constitute a genus. Thus Thomas also says that an angel is "a certain" subsistent form: "[A]ngelus autem, cum sit immaterialis, est quaedam forma subsistens, et per hoc intelligibilis actu"; STh I, q. 56, a. 1. Naturally God is not "a certain" subsistent *esse*, one among many. There can only be one. So we can say that he is "the" subsistent *esse* itself. But there is no warrant for saying that he is simply *esse* itself, subsisting.

<sup>75</sup> STh I, q. 3, a. 2; STh I, q. 13, a. 12, obj. 2. The divine form is called *deitas*: STh I, q. 3, a. 3.

<sup>76</sup> This is because we can know God to the extent that his creatures represent him, and "quaelibet creatura intantum eum repraesentat, et est ei similis, inquantum perfectionem aliquam habet, non tamen ita quod repraesentet eum sicut aliquid eiusdem speciei vel generis, sed sicut excellens principium, *a cuius forma* effectus deficient, cuius tamen aliqualem similitudinem effectus consequuntur"; STh I, q. 13, a. 2 (emphasis added).

<sup>77</sup> SCG, bk. 1, ch. 12.

<sup>78</sup> "Per illam formam intelligibilem specificatur intellectualis operatio, quae facit intellectum in actu. Et haec est species principalis intellecti, quae in Deo nihil est aliud quam essentia sua, in qua omnes species rerum comprehenduntur. Unde non oportet quod ipsum intelligere divinum, vel potius ipse Deus, specificetur per aliud quam per essentiam suam"; STh I, q. 14, a. 5, ad 3. See also STh I, q. 14, a. 4.

<sup>79</sup> There is no need to interpret *esse sine additione* as *esse sine forma*. It signifies an *esse* to which nothing is added. What is "added" is always distinct from what it is added to. The *esse* of God would be an *esse* that is identical with its form. Nor is this a purely equivocal use of the term "form"; the term still retains something of the meaning of "formal cause." Agent and material causes, Thomas says, are always distinct from what they are causes of, but a thing can be its own form, "as is clear in the case of all immaterial things"; STh I, q. 39, a. 2, ad 5. He is speaking of the expression "three persons of one essence," as referred to the Blessed Trinity. In this expression, he says, "essence" is signified in the role of a form, *in habitudine formae*.



God is a subsistent form, identical with his essence. The point of the argument examined above was that if he, or his essence, is also identical with his *esse*, then he cannot be in a genus. There can be nothing univocal between him and anything else—least of all something called “*esse*.” His *esse* is wholly proper to him, and everything in him is his proper *esse*.

At the same time, to be sure, if God is outside all genera, he is also the principle of all genera, and of absolutely everything that in any way is. This follows from the fact that he is his own *esse* and that there cannot be more than one subsistent that is an *esse* itself.<sup>80</sup> For

it therefore results that all things other than God are not their *esse*, but share in *esse*; and so it is necessary that all things, which are diversified according to a diverse participation in *esse*, in such a way that they *are* more or less perfectly,<sup>81</sup> be caused by a first being (*ens*) which *is* in a most perfect way.<sup>82</sup>

Moreover, if God is the principle, the agent, of all that is, then although there is no genus common to God and the rest, all things must be in some way like him. An agent’s effect is always like it. Just inso-

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<sup>80</sup> On there not being more than one, see STh I, q. 11, a. 3, c. (the second argument), together with I, q. 4, a. 2.

<sup>81</sup> Space prevents considering how Thomas conceives the “grades” of *esse*, but we may at least note that he is alert to the question whether “more or less” does not imply univocity (see above, n. 25). For example: “[M]agis et minus nunquam univocationem auferunt; sed ea ex quibus magis et minus causatur, possunt differentiam speciei facere, et univocationem auferre: et hoc contingit quando magis et minus causantur non ex diversa participatione unius naturae, sed ex gradu diversarum naturarum; sicut angelus est homine intellectualior”; *In Sent.*, bk. 1, d. 35, q. 1, a. 4, ad 3. Again: “[M]agis et minus, secundum quod causantur ex intensione et remissione unius formae, non diversificant speciem. Sed secundum quod causantur ex formis diversorum graduum, sic diversificant speciem, sicut si dicamus quod ignis est perfectior aere”; STh I, q. 50, a. 4, ad 2.

<sup>82</sup> “Relinquitur ergo quod omnia alia a Deo non sint suum esse, sed participant esse. Necesse est igitur omnia, quae diversificantur secundum diversam participationem essendi, ut sint perfectius vel minus perfecte, causari ab uno primo ente, quod perfectissime est”; STh I, q. 44, a. 1. In this article Thomas does not specify that God is “his” *esse*. However, he does specify that other things are not “their” *esse*. And in other places where he employs the same sort of argument, his premise is explicitly that God is “his” *esse*. See STh I, q. 61, a. 1; DV, q. 21, a. 5; SCG, bk. 2, ch. 15 (“*Item. Quod per essentiam...*”); CT, pt. 1, ch. 15; *Quaestiones de quodlibet* 3, q. 8, a. un.; DSS, ch. 9 (Leonine ed., vol. 40, p. D-50, ll. 102–18).



far as they are beings, Thomas says, creatures are assimilated to God, as to the first and universal principle of *esse*.<sup>83</sup>

But what we must take care to remember is that if creatures, insofar as they are beings, resemble God, they also differ from him, insofar as they are beings. Being (*ens*) itself is something diverse in creatures and God. Otherwise it would be like a genus, univocal; and in the final analysis, as Aristotle's arguments show, no being would be really distinct from God.

The likenesses that things have with God, Thomas says in the same place, are never an agreement in something univocal. They constitute neither specific nor even generic unity. They are only "according to some analogy, in the way that *esse* itself is common to all." As is indicated by this very sequence—species, genus, analogy—Thomas is using the term "analogy" in the Aristotelian sense: a likeness of proportion, a proportionality.<sup>84</sup> It is in this way that we can speak of "the" nature of *esse* running through all things, as a unit: there is a common proportionality. But analogical community is such that the common feature is itself diverse, intrinsically diverse, in each case. *Esse* is common to things in such a way that it is also diversified in them. Every *esse* will be that according to which something is somehow in act, divided somehow from what is in potency. But what being in act consists in is also diverse for each thing. Thomas is saying that in this same way, any characteristic that renders a creature similar to God will also be a characteristic that distinguishes it from him.<sup>85</sup>

And conversely, even the factor that distinguishes the nature of one creature from those of other creatures renders it similar to God. If all things are like God insofar as they are beings, each is also like Him according to what is proper to it, that is, according to its distinctive form. Likeness is "communication in form." Every created form, for instance that of a horse, will have something in common with the divine form. Not something, of course, in its definition; creature and God do not communicate either in species or in genus. "There is not said to be a likeness of the creature to God on account of a communication in form according to the same *ratio* of genus and species, but only according to an analogy; namely, in the way in which God is a

<sup>83</sup> STh I, q. 4, a. 3.

<sup>84</sup> See *Metaphysics* 5.6.1016b31–1017a3; cf. 5.9.1018a13.

<sup>85</sup> See STh I, q. 4, a. 3, ad 1.



being (*ens*) essentially, and the others [are beings] by participation."<sup>86</sup> As we saw, for a horse, to be a being means to be a horse; and the horse participates in its being-a-horse in virtue of its form. And thus, if a horse, insofar as it is a being, is like God, then it is also like him insofar as it is a horse.

This brings us to the last point that I wish to highlight it: Thomas's concern to see the very forms of things, and even their differences, as being like God. They are all "contained in His form." This says much, I believe, about Thomas's conception of the nature of being, and about its relation to the nature of God.

## VI

*The differences of things are in God.* In the *Summa theologiae*, the likeness of all things to God is treated in the third article of the question dedicated to God's perfection, which follows immediately upon the question on the divine simplicity. The identity of essence and *esse* in God plays an important role in the understanding of his perfection. Thus, in the second article on God's perfection, as though to establish the basis for the third, Thomas seeks to show that all the perfections of things are in God; and the second of the two arguments that he gives turns on the fact that God is *esse* itself that subsists *per se*.<sup>87</sup>

The first conclusion that follows from this is that God contains in himself "the whole perfection of *esse*." To illustrate this, Thomas in-

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<sup>86</sup> "Non dicitur esse similitudo creaturae ad Deum propter communicantiam in forma secundum eandem rationem generis et speciei, sed secundum analogiam tantum; prout scilicet Deus est ens per essentiam, et alia per participationem"; STh I, q. 4, a. 3, ad 3. I would suggest that the analogy here, the proportionality, resides in the fact that both in God and in other things, there is something "through which" they are beings. (It is important that "a being" is said properly both of God and of creatures: see STh I, q. 44, a. 1, ad 1.) This is an "agreement in form," because all of them are beings, precisely, through their forms. (See STh I, q. 5, a. 4: "... ipsa forma, per quam est ens.") God is a being because his form *is* his *esse*; the others are beings because, in virtue of their forms, they participate in their *esse*. (Here it is crucial not to confuse "*per participationem*" with "*per accidens*." We have already seen that for Thomas, things are beings, not *per accidens*, but through the principles of their essences.) This would also be a case in which the common proportionality is verified, not equally, but *per prius et posterius* (see above, n. 21). The priority is that of a model in relation to its imitations. In creatures, there exists a strong affinity between their forms and their *esse*—they have their *esse* through their forms; this affinity resembles, without equaling, the perfect identity that obtains between form and *esse* in God.



vites us to imagine a subsistent heat, a pure heat, a heat not received in and conditioned by a subject. Such a heat could not be lacking in any of the perfection—the *virtus*—of heat. It would be heat at the maximum degree. In the same way, the subsistent *esse* of God is at the maximum of the perfection, the *virtus*, of *esse*. In the words of pseudo-Dionysius, “it precontains (*praeaccipit*) all *esse* in itself, in a uniform way (*uniformiter*).”<sup>88</sup> But if God contains the entire perfection of *esse*, Thomas continues, then he must contain absolutely all of the perfections in things. For all perfections “pertain to the perfection of *esse*.” Things are perfect just insofar as they have *esse* in some way.

Now, this last assertion may sound as though *esse* itself is the only true perfection. But this is not what Thomas means. He also recognizes other perfections, distinct from *esse*.<sup>89</sup> In a parallel text in the *Summa contra gentiles*, he gives the example of wisdom.<sup>90</sup> The wisdom of Socrates is not his *esse*. It is not even his act of *being wise*. But the wisdom of Socrates is a perfection, because *through* it, Socrates *is* wise. His wisdom is a form, according to which his act of being wise is constituted. It “pertains” to his being wise; it is a *principle* thereof. This is what I wish to stress: if the entire perfection of *esse* is in God, then, for that very reason, all the various forms of things must also be in him. Every perfection of *esse* is tied to some form.

In this respect, two of the objections raised in the article are particularly significant.<sup>91</sup> The first is that the perfections of things are many and diverse, whereas God is simple. The second, even stronger, is that the species of things are perfected by their differences, and

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<sup>87</sup> In this text Thomas says simply, “Deus est ipsum esse per se subsistens.” I speak of “an” *esse* itself, in line with the foregoing considerations. That this is acceptable is indicated by the version of the same argument given in SCG, bk. 1, ch. 28: “. . . Sed rei quae est *suum* esse . . .”

<sup>88</sup> With the quotation from ps.-Dionysius, it is clear that Thomas recognizes the platonic background for the notion of a perfection that is found both in a received or participated mode, in which its perfection is limited, and in a subsistent mode, in which it is maximally perfect; see also DP, q. 6, a. 6. However, this by itself does not make him guilty of platonism, in the sense criticized by Berti and Kenny. That involves treating the perfection, taken absolutely, as constitutive of the thing in which it is found subsisting, in such a way that the thing’s essence would be determined according to the *ratio* of that perfection. See below, VII.

<sup>89</sup> Thus see DP, q. 6, a. 6: “cum esse *et reliquae perfectiones et formae* inveniuntur in corporibus quasi particulariter, per hoc quod sunt in materia receptae, oportet praeeexistere aliquam substantiam incorpoream, quae non particulariter, sed cum quadam universali plenitudine perfectionem essendi in se habeat” (emphasis added).

<sup>90</sup> SCG, bk. 1, ch. 28 (“Omnis enim nobilitas . . .”).

<sup>91</sup> STH I, q. 4, a. 2, obj. 1 and 2.



these are opposites; opposites cannot exist in the same subject. Thomas answers both objections together, very briefly. He does not at all deny that the perfections and differences in things are diverse and even opposed. He simply asserts that items which are diverse and opposed in themselves "preexist" in God as one, without detriment to his simplicity. Thus pseudo-Dionysius likens God to the sun, which precontains all the substances and qualities of sensible things *uniformiter*, in a single *virtus*. We might almost call this the thomistic *coincidentia oppositorum*—though bearing in mind that they are not opposite *predicates*. Not all perfections are predicable of God, just as not all sensible qualities are predicable of the sun.<sup>92</sup> The many perfections are diverse and opposite effects that preexist in God as in their first cause. He possesses all the power for all perfections, but according to a nature and a "quality" that is proper to him.<sup>93</sup>

The thesis that the differences of things are in God is further developed a little later, in *Summa theologiae* I, q. 14, a. 6. Here Thomas explains how God knows things other than himself. Everything that God knows, he knows by way of his knowledge of his own nature. He receives no knowledge from outside. For this reason, Thomas tells us, some thinkers held that God only knows other things in a very general way, namely, insofar as they are beings. He would know the nature of being (*naturam entis*), by knowing himself as *principium essendi*, the principle of *esse*. But he would not know the proper natures of things. Thomas rejects this. It would mean a merely confused and general, and so very imperfect, knowledge of things. God must also know each thing in its distinction from the others.

To explain this, Thomas returns to the fact that God contains whatever there is of perfection in creatures. "Not only that in which

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<sup>92</sup> Thomas in fact holds that created species, although existing in God in a "higher" way than they exist in the creatures themselves, belong "more truly" to the creatures: STh I, q. 18, a. 4, ad 3. For example, God is the idea, the productive exemplar, of horses, and this idea is a more perfect being than a physical and material horse; but a "true" horse, that which "is a horse" in the proper sense, is a physical one.

<sup>93</sup> In *De ente et essentia* he explains it thus: "[Deus], quamvis sit esse tantum, non oportet quod deficiant ei relique perfectiones et nobilitates. Immo habet omnes perfectiones que sunt in omnibus generibus . . . ; sed habet eas modo excellentiori omnibus rebus, quia in eo unum sunt, sed in aliis diuersitatem habent. Et hoc est, quia omnes ille perfectiones conueniunt sibi secundum esse suum simplex; sicut si aliquis per unam qualitatem posset efficere operationes omnium qualitatum, in illa una qualitate omnes qualitates haberet, ita Deus in ipso esse suo omnes perfectiones habet"; DEE, ch. 5 (Leonline ed., vol. 43, p. 378, ll. 30–43).



creatures communicate, namely *esse*, pertains to perfection; but also the features through which creatures are distinguished from each other, such as life and understanding . . . And every form, through which each thing is constituted in its proper species, is a certain perfection." Thomas then explains that God's essence compares to all others as a "perfect act" to the "imperfect acts contained under it." The essence of God possesses "whatever there is of perfection in any other essence, and more besides." To illustrate the idea, Thomas gives the example of how the "sixfold" contains the "threefold."

In this way, through his knowledge of himself, God can know the proper natures of things. For "the proper nature of each thing is constituted according as it shares in some way in the divine perfection. But God would not know Himself perfectly, if He did not know every way in which His perfection can be shared by others." Moreover, Thomas says, "neither would he perfectly know the nature of *esse*, if He did not know all the modes of *esse*."

This last affirmation is very striking. The nature of *esse* cannot be known perfectly unless all its modes are known. These are determined according to the various natures of things. In other words, the natures of things are by no means mere extrinsic receptacles for the "liquid" of *esse*. Grasping the various natures of things is required for the full understanding of *esse* itself. We might say: the essences of things are "essential" to *esse*, indissociable from it.<sup>94</sup> *Esse* is not diversified by things alien to its own nature—least of all by nonbeings. All the forms of things are perfections, pertaining directly to the perfection of *esse*.

So we are very far from a conception of *esse* as something essentially uniform. Even if there is an abstract and common notion of *esse*, this constitutes only a very imperfect knowledge of it. It only expresses the common proportionality verified in every instance of *esse*: "the actuality of an essence." The various modes of *esse* cannot be

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<sup>94</sup> "Ens alio modo se habet ad ea quae sub ente continentur, et alio modo animal vel quodlibet aliud genus ad species suas. Species enim addit supra genus, ut homo supra animal, differentiam aliquam quae est extra essentiam generis. Animal enim nominat tantum naturam sensibilem, in qua rationale non continetur; sed ea quae continentur sub ente, non addunt aliquid supra ens quod sit extra essentiam eius; unde non oportet quod illud quod est causa animalis in quantum est animal, sit causa rationalis in quantum huiusmodi. Oportet autem illud quod est causa entis in quantum est ens, esse causam omnium differentiarum entis"; DP, q. 3, a. 16, ad 4.



deduced from it, because the various forms and essences of things cannot be so deduced.<sup>95</sup>

## VII

*God as the Idea of esse.* Now we are in a position to say something about the gravest of the problems raised by Berti, the one regarding the divine transcendence. To recall: according to Aristotle, the nature of *esse* is not something uniform. It is intrinsically diverse and multiple. Thomas seems to recognize this. But how then can he adopt the assertion of pseudo-Dionysius, according to which a single entity, God, "precontains all *esse* in himself in a uniform way?" If all *esse* is contained in a single form or nature, the divine, must not *esse* itself be understood as something uniform, univocal? And if *esse* is univocal, then when it is somehow attributed to a creature, will this not amount to attributing the divine nature itself to the creature, in some way?

The answer would be affirmative, I think, if Thomas thought that the divine nature, which is certainly uniform, were simply identical with the nature of *esse* existing in a separate and subsistent way. But it seems clear that Thomas does not conceive the divine form in this manner. We have just heard him saying that if God did not know the proper natures of things, then he would not know perfectly *either* himself *or* the nature of *esse*. In saying this, Thomas is also distinguishing between the divine nature and the nature of *esse*.

How can we see that there is a difference between the divine nature (which is identical with the divine *esse*) and the nature of *esse* itself? One consideration that shows this difference particularly clearly, I think, is precisely that the perfection of God contains absolutely all perfections. The perfection of *esse* itself does *not* contain all perfections. The forms of things are perfections too, and these are not contained in the perfection of *esse*. To be sure, they *pertain* to the perfection of *esse*; but they remain distinct from it. They are neither reducible to it, nor "derivatives" of it. For they pertain to it, not as effects or results, but as principles. Every *esse* is constituted according to the principles of an essence. This is why the nature of *esse* cannot subsist by itself, in separation from the other perfections of things. If

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<sup>95</sup> "Ratio enim entis, cum sit diversificata in diversis, non est sufficiens ad specialem rerum cognitionem"; *In Sent.*, bk. 1, Prologus, q. 1, a. 2.



God contains all the perfection of *esse*, he must also contain all other perfections, all forms. And if God contains all perfections, then it is obvious that his own nature cannot be simply identified with any one of them—not even with that of *esse*.

Likewise, the absolute concept of *esse*, although somehow embracing the entire perfection of *esse*,<sup>96</sup> remains distinct from the concepts of other perfections. For this reason, the concept of *esse* does not succeed in determining the divine nature as it is in itself, that is, according to its quiddity or essence.

The divine essence is something uncircumscribed, containing in itself in a supereminent way whatever can be signified or understood by a created intellect. And this cannot in any way be represented through a created species, because every created form is determined according to some *ratio*, whether of wisdom, or of virtue, or of *esse itself*, or something of this sort.<sup>97</sup>

So in the same way in which the divine form transcends all other forms, it also transcends the nature of *esse* itself. The entire perfection of *esse* is inferior to the perfection of God. In other words, *esse* itself must be related to God as imperfect act to perfect act. The nature of *esse* is included in the divine nature, as in its cause, but it does not constitute the divine nature.<sup>98</sup>

At the same time, the divine nature is identical with the divine *esse*. Consequently, not even the divine *esse* can be identified with the

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<sup>96</sup> See STh I–II, q. 2, a. 5, ad 2.

<sup>97</sup> “Divina essentia est aliquod incircumscriptum, continens in se supereminenter quicquid potest significari vel intelligi ab intellectu creato. Et hoc nullo modo per aliquam speciem creatam repraesentari potest, quia omnis forma creata est determinata secundum aliquam rationem, vel sapientiae, vel virtutis, vel *ipsius esse*, vel aliquid huiusmodi”; STh I, q. 12, a. 2 (emphasis added). “Does *Ipsum esse subsistens* name God via a concept that is so representationally rich that it expresses the totality of all perfections? Obviously not. If it did (a) we would be enjoying the beatific vision, and (b) one divine name would suffice”; Ralph McInerny, “*Esse ut Actus Intensivus*,” in *Being and Predication*, Studies in Philosophy and the History of Philosophy, vol. 16 (Washington, D.C.: The Catholic University of America Press, 1986), 234.

<sup>98</sup> Recently, in a very interesting article, Franco Ferrari has sought to show that in the *Republic*, “the relation that binds the idea of the good to being is not pushed to the point of a true and proper identification, since the ἀγαθόν is not being in itself (*Esse ipsum subsistens*), but possesses μάλιστα this characteristic insofar as it is cause thereof”; Franco Ferrari, “La causalità del bene nella *Repubblica* di Platone,” *Elenchos* 22.1 (2001): 37 (my translation). What I am suggesting here is that notwithstanding his use of the expression “*ipsum esse subsistens*,” neither does Thomas make a true and proper identification of God with “*esse* itself.”



absolute nature of *esse*. By way of conclusion, I shall try to explain this point a little better.

God contains all the perfection of a horse. This means that He has all the power necessary to produce a horse, as well as to represent it. He is not only its sufficient active principle, but also its perfect exemplar. He is the Idea of a horse. But of course this is an Idea in the thomistic, not platonic, sense. That is, the essence of this Idea—the essence of God—is not the essence of what it is the Idea of—the essence of a horse. If it were, then it could not also contain the perfections of all other things.

But now, Thomas holds that in God there is no distinction between his *esse* and the other perfections that can be attributed to him. If the nature of God cannot be identified with any particular perfection, neither can it be identified with the mere synthesis of all perfections. For his nature is not a synthesis. It is absolutely simple, even in *ratio*. Everything in him is his proper *esse*. This means that *his* *esse* *itself* contains, in its very *ratio*, not only all the perfection of *esse*, but also all the other perfections of things.<sup>99</sup> It contains the perfection of life, and of understanding, and of the nature of a horse.

In short, the *esse* of God is an *esse* whose nature goes beyond the mere nature of *esse*. That is, it is certainly an *esse*, but it is not circumscribed according to the precise *ratio* of *esse*, the *ratio* that distin-

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<sup>99</sup> This is the explanation that Thomas gives of the non-univocity of the names said in common of God and creatures: "[O]mnes rerum perfectiones, quae sunt in rebus creatis divisim et multipliciter, in Deo praeexistunt unite. Sic igitur, cum aliquod nomen ad perfectionem pertinens de creatura dicitur, significat illam perfectionem ut distinctam secundum rationem definitionis ab aliis, puta cum hoc nomen sapiens de homine dicitur, significamus aliquam perfectionem distinctam ab essentia hominis, et a potentia et ab esse ipsius, et ab omnibus huiusmodi. Sed cum hoc nomen de Deo dicimus, non intendimus significare aliquid distinctum ab essentia vel potentia vel esse ipsius. Et sic, cum hoc nomen sapiens de homine dicitur, quodammodo circumscribit et comprehendit rem significatam, non autem cum dicitur de Deo, sed relinquit rem significatam ut incomprehensam, et excedentem nominis significationem"; STh I, q. 13, a. 5. As regards *esse*, perhaps even clearer is this passage from his commentary on *De divinis nominibus*: "[I]psum esse creatum non est finitum si comparetur ad creaturas, quia ad omnia se extendit; si tamen comparetur ad esse increatum, invenitur deficiens et ex praecogitatione divinae mentis, propriae rationis determinationem habens"; Thomas Aquinas, *In librum Beati Dionysii De divinis nominibus expositio*, ch. 13, lect. 3, §989, ed. C. Pera (Turin: Marietti, 1950), 368. The finitude of created *esse* does not derive solely from what receives it; it also has an intrinsic finitude, that of the proper *ratio* of *esse* (see above, n. 97), according to which it is distinct from other perfections. By contrast, the *esse* of God includes, but also exceeds, the *ratio* of *esse*.



guishes *esse* from other perfections. The divine *esse* includes not only the whole nature of *esse*, but also all the principles of the nature of *esse*—all the forms.

Is St. Thomas's God then the Idea of *esse*? In a sense, yes; but only in the sense in which he is also the Idea of a horse.<sup>100</sup> It is a thomistic Idea, not a platonic Idea. Its essence is not the essence of that of which it is the Idea. If it were, God would not be the Idea of anything whatsoever, because apart from him there could be absolutely nothing.

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<sup>100</sup> If *esse* can be properly predicated of God, whereas horse cannot, this is only because the *ratio* of *esse* does not positively exclude real identity with all other perfections, as the *ratio* of horse does. But the divine essence is not *determined* according to either *ratio*. Thomas is explicit about the fact that *esse* is not predicated of God in such a way as to signify *what he is*; see *In Sent.*, bk. 1, d. 8, q. 1, a. 1, ad 4.



## SIGER AND THE SKEPTIC

ANTOINE CÔTÉ

**M**OST ASSESSMENTS OF SIGER OF BRABANT'S CONTRIBUTION to philosophy have tended to focus on his adoption of Averroistic noetics, a position he would later renounce, and on his supposed role as the factious leader of a group of "Latin Averroists" within the Faculty of Arts, an enduring myth finally put to rest by R.-A. Gauthier.<sup>1</sup> He is now more accurately viewed as a staunch and indeed unrepentant

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<sup>1</sup> See the seminal two-part article by René-Antoine Gauthier, "Notes sur Siger de Brabant, I. Siger en 1265," *Revue des sciences philosophiques et théologiques* 67 (1983): 201–32, and "Notes sur Siger de Brabant, II. Siger en 1272–1275, Aubry de Reims et la scission des Normands," *Revue des sciences philosophiques et théologiques* 68 (1984): 3–49. In the following I will be discussing principally two works of Siger, the *Impossibilia* and the *Questions on the Metaphysics*. All references to the *Impossibilia* are to Bernardo Carlos Bazán's edition, Siger de Brabant, *Écrits de logique, de morale et de physique*, Philosophes médiévaux 14 (Louvain: Publications universitaires, 1974), 67–97. When quoting from this work I shall refer to it as *I*, followed by the number of the *impossibile* according to the order in which it appears in the edition, followed by the page number and the lineation. Two editions exist of the *Questions on the Metaphysics*, a work that has survived in four different "reportations," i.e., student notes, each in a different manuscript. William Dunphy published an edition based on the reportations found in two manuscripts, one in Munich and another in Vienna: Siger de Brabant, *Quaestiones in Metaphysicam*, Philosophes médiévaux 24 (Louvain: Publications universitaires, 1981); Armand Maurer followed a couple of years later with two editions of the same work the first based on a Cambridge manuscript, the second on a Parisian one, the latter probably being the reportation taken by Godfrey of Fontaines. Both editions are published in Siger de Brabant, *Quaestiones in Metaphysicam*, Philosophes médiévaux 25 (Louvain: Publications universitaires, 1983). As the texts of these editions sometimes differ significantly in wording, I shall refer to the one whose wording is clearest—but I shall not quote from Godfrey's reportation. The two editions from which I will quote will be abbreviated respectively as *QiMD* and *QiMM*, followed in each case, first, by the book number, then the question number, and finally the page and lineation when necessary. All translations of Siger are my own. A complete bibliography of Siger, including both the edited work and secondary literature, is found on <http://www.mapageweb.umontreal.ca/pironet/Siger/SigerBiblio.pdf>.



proponent of philosophy as an autonomous discipline, a man who believed that the professional philosopher should go about his business exploring Aristotle's arguments wherever they might lead, an attitude both reckless and admirable, for which he would come to some grief toward the end of his short life.<sup>2</sup>

The bulk of his writings are made up of commentaries on works by, or attributed to, Aristotle, but he is also the author of a number of disputed questions on ethics, logic and natural philosophy, all heavily indebted to Aristotle as well. He owes much—unsurprisingly—to Averroes, and Arab philosophers generally, but he was also influenced by Thomas Aquinas, whom he greatly admired. But Siger was not uncritical of his sources, and although I know of no instance where he disagrees philosophically with Aristotle, he did, at times, openly disagree with both Aquinas and, to a lesser degree, with Averroes.<sup>3</sup> This critical stance toward his predecessors has led William

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<sup>2</sup> In 1277, Siger, together with two other clerics from Liège, was summoned at Saint-Quentin by the Inquisitor of France, Simon du Val, under the suspicion of heresy. What happened immediately afterwards is a matter of some dispute. Some historians claim that Siger fled to Italy. But according to Gauthier, Siger stood trial and was probably acquitted (See "Notes sur Siger de Brabant, II," 27).

<sup>3</sup> In his commentary on book 3 of the *Metaphysics*, Siger asks whether there is a first efficient cause of all effects and notes that this is the opinion of Aristotle, Avicenna, Proclus and almost all Peripatetics. He adds, however, that "authority alone is not sufficient in the search for truth," *QiMM* 3, q. 5, 84, 39. Elsewhere he writes that basing oneself on an idea's popularity (*famositate*) as a ground for its truth is to rely on the reason of others as if one did not possess reason or intellect oneself (*QiMM* 4, q. 33, 179, 13–15). Siger believed that doctrines in matters of faith were true, but that, in most cases—creation being an exception—their truth could not be proved by reason. He also believed however that there were arguments whose conclusions were contrary to those of faith that could not be disproved by reason, which was not to say that they are true. As a result, Siger felt that the expositor of Aristotle should feel no qualms about exploring any of the Philosopher's arguments, for if the conclusions of any of those arguments were contrary to those of faith that meant they contained some fallacy discoverable by reason, or if philosophical discussion could reveal no fallacy, at the very least it meant that they were wrong. In one text, Siger chided Aquinas for purposely "covering up"—or so Siger seems to insinuate—the Philosopher's intention, presumably because he was scared of the conclusions (*QiMM* 3, q. 15, 110; see also 2, q. 14, 58). An even more severe rebuke can be found in Siger's commentary on the *Book of Causes*, Quaestio <2>, *Les Quaestiones super librum de causis de Siger de Brabant*, ed. Antonio Marlasca, *Philosophes médiévaux* 12 (Louvain: Publications universitaires, 1972), 40.



Dunphy to talk of a "Sigerian interpretation of Aristotle" or a "Sigerian Aristotelianism."<sup>4</sup>

Siger often voices objections or difficulties not directly addressed by Aristotle that he attempts to resolve using Aristotelian principles. This is specifically the case with his refutation of skepticism, a topic to which Siger devoted considerable attention.<sup>5</sup> Siger's discussion is interesting for two reasons. First, because in arguing against skepticism, he presents the outlines of a plausible and indeed appealing theory of perception, distinct in its focus from those of Averroes and Aquinas, whose commentaries he made greatest use of in the preparation of his own commentary. Second, because his discussions offer invaluable insight into the assumptions of Aristotle's theory of perception and its medieval reception, a theory that would remain influential until the advent of the Modern Age, and indeed some versions of which are still today looked upon longingly by some proponents of "direct" or "commonsense" realism. In this paper, I shall focus essentially on the first point, basing myself on the second of Siger's *Impossibilia* as well as his commentary on Aristotle's *Metaphysics*.

## I

*The skeptic's argument in the Impossibilia.* Siger is the author of six *impossibilia*, disputed sometime between 1270 and 1273.<sup>6</sup> *Impossibilia* are best described as a type of *sophisma* which Norman Kretzmann once defined as "a sentence puzzling in its own right or on the

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<sup>4</sup> On Siger's attachment to the spirit of the Philosopher right until the end of his short professorial career, see Fernand Van Steenberghen, *La philosophie au XIII<sup>e</sup> siècle*, Philosophes médiévaux 9 (Louvain: Publications universitaires, 1966), 391, and Antonio Marlasca's comments in his introduction to his edition of Siger's commentary on the *Book of Causes*, 25–9.

<sup>5</sup> See Van Steenberghen, *La philosophie au XIII<sup>e</sup> siècle*, 270.

<sup>6</sup> See Bernardo Bazán, *Écrits de logique, de morale et de physique*, 26, and Martin Grabmann's still valuable monograph: *Die Sophismataliteratur des 12. und 13. Jahrhunderts, mit Textausgabe eines Sophisma von Boetius von Dacien: ein Beitrag zur Geschichte des Einwirkens der aristotelischen Logik auf die Ausgestaltung der mittelalterlichen philosophischen Disputation*, Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters 36.1 (Münster i. W.: Aschendorff, 1940). For a general presentation of Siger's *Impossibilia*, see Fernand Van Steenberghen, *Maître Siger de Brabant*, Philosophes médiévaux 21 (Louvain: Publications universitaires, 1977), 92–4.



basis of a certain assumption, designed to bring some abstract issue into focus," which figured prominently in the university curricula starting in the second half of the thirteenth century.<sup>7</sup> The definition could apply equally to *impossibilia*, the difference being that an *impossibile* was viewed not merely as a puzzling sentence but a downright absurd one. As was the case with *sophismata*, at least initially, *impossibilia* were used as exercises in the Faculty of Arts, geared toward helping students hone their dialectical skills and readying them for the exacting discipline of the *disputatio*.<sup>8</sup>

Siger's *Impossibilia* deal with several kinds of impossibility: metaphysical impossibility, as in *I1* (God does not exist); physical impossibility, as in *I3* (The Trojan war is happening in this instant) and *I4* (Some unimpeded, upward lying heavy object would not fall); ethical impossibility, as in *I5* (In human affairs there is no evil action in virtue of whose evil that action should be prohibited or someone punished for committing it); logical impossibility, as in *I6* (It is possible for something to both be and not to be, and for contradictories to be true of each other or of the same thing); and finally, epistemic impossibility, as in *I2* (everything that appears to us are illusions [*simulacra*] and similar to dreams, so that we are not certain of the existence of anything).

Making the skeptical argument an example of an *impossibile* is in itself a significant move on Siger's part and needs to be underscored at the outset: skepticism is simply not viewed as posing a credible theoretical threat.<sup>9</sup> When all is said and done, Siger views all skeptical arguments, however clever, as pieces of sophistry devoid of any real purchase on our actual beliefs.<sup>10</sup>

The general position the skeptic wants to argue for is that "one ought not to trust a power to which something appears that is mere appearance, unless another power judges that it is so."<sup>11</sup> By "power,"

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<sup>7</sup> Norman Kretzmann, "Socrates is Whiter than Socrates Begins to be White," *Noûs* 11 (1977): 6. There is abundant literature dealing with the topic of *sophismata*. One recent and thorough treatment on *sophismata* as a literary genre and its relation to disputations is Olga Weijers, *La 'disputatio' à la Faculté des arts de Paris (1200–1350 environ), esquisse d'une typologie*, (Turnhout: Brepols, 1995), 68–91.

<sup>8</sup> See Pierre Mandonnet, *Siger de Brabant et l'averroïsme latin au XIII<sup>e</sup> siècle*, 2<sup>d</sup> ed., *Les philosophes belges* 6 (Louvain: Institut supérieur de philosophie, 1911), 124–5, and Olga Weijers, *La 'disputatio'*, 86.

<sup>9</sup> See *Q<sub>i</sub>MM* 4, q. 37, 186, 61–5.



Siger (and the skeptic) means cognitive powers—that is, the senses and the intellect. One of the consequences of this position, quite apart from the fact that it leads to an infinite regress, is that it implies that the senses in and of themselves are not trustworthy sources of knowledge; indeed that they are not sources of knowledge at all. The skeptic, Siger tells us, argued for this position in two ways.

His first argument is that a sense that is prone to illusion can generate no certitude with respect to its objects.<sup>12</sup> By “prone to illusion,” the skeptic presumably means that the senses sometimes lead us astray, and he could be implying that for a power to generate *bona fide* knowledge, it must always generate veridical perceptions. The senses would be trustworthy only if they were infallible. Thus construed, the argument is really quite powerful, and it is not clear that Siger has grasped its full force, for he merely points out in his answer to it that the inference from “this sense has led me astray once before” to “therefore it will lead me astray again” is fallacious.

To the first argument against <our position> it must be said that although something may appear to a power in one of its sensations which is a mere appearance so that this sensation is not to be trusted, <it does not follow> that that power is not to be trusted in another of its sensations.<sup>13</sup>

Yet even if Siger had grasped the full force of the objection, he would probably have rejected it outright. Siger, following Aristotle, believed that sensation involved three elements: the sensible object, the medium and the sense organ. Although Aristotle had explained that in the act of perception the sensible quality in actuality and the sense in

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<sup>10</sup> A similar dismissal of the arguments invoked against the existence of motion is to be found in an anonymous series of questions on Aristotle's *Physics*. No attribution is found in the sole manuscript in which this commentary is contained, but it is Sigerian in style and content, and its attribution to Siger is accepted, or at least viewed as highly probable, by many scholars. *Ein Kommentar zur Physik des Aristoteles aus der Pariser Artistenfakultät um 1273*, ed. Albert Zimmermann, (Berlin: Walter de Gruyter, 1968). See in particular questions 9, 10 and 11. See Van Steenberghen, *Maître Siger de Brabant*, 196, regarding the possible Sigerian authorship of this work.

<sup>11</sup> *I2*, 73, 7–9.

<sup>12</sup> *I2*, 73, 9–10.

<sup>13</sup> *I2*, 76, 75–80: “Ad rationem primam in oppositum dicendum quod, quamquam alicui virtuti una eius sensatione appareat aliquid quod sit apparentia tantum et illi sensationi eius non credatur, non tamen oportet quod illi virtuti secundum aliam eius sensationem non credatur per se quod ita sit in re.”



actuality are one,<sup>14</sup> a view Siger naturally agrees with, Aristotle also felt that the fact that the sensible quality must cross a medium and be received in the sense means that it might not be received *as it is* in the sensible object, either because of the indisposition of the medium or of the organ.<sup>15</sup> In a sense, the physics of perception makes some measure of error inevitable.

The skeptic's second argument proceeds in three steps. He argues first that just as (A) we do not believe (*creditur*) that something that appears to a sense is an illusion unless a superior power judges it to be so (*hoc diiudicantem*), so too (B) the sense will not be believed (*non creditur*) unless a superior power judges (*diiudicet*) that it is not an illusion.<sup>16</sup> The skeptic then takes B as the major of his second argument, which runs thus:

P We must not believe a sense to which things appear that are mere illusions unless another power judges that this is so.

P But *all* senses are such that things appear that are mere appearances.

C Therefore we must not believe any sense that things are such as they appear.<sup>17</sup>

Finally, the skeptic goes on to argue that if we cannot trust the senses, then we cannot trust the conclusions proceeding from a superior power either, as all certitude ultimately derives from the senses.<sup>18</sup>

Siger provides two distinct answers to this second argument. His first answer is to reject the inference from A to B. He justifies this rejection by saying "that it does not belong to the nature of a sense to which something appears that is illusion to judge (*iudicare*) that it is an illusion. One does not turn to it, but to some other <faculty> to whom it belongs to judge, such as the intellect."<sup>19</sup> However, Siger tells us, we *are* entitled to take the sense's word for it that a particular perception is *not* an illusion, provided "no deception is made manifest by a more worthy sense or by a concept derived from a more worthy sense," in which case "it ought to be believed as veridical without <an appeal to> a superior faculty."<sup>20</sup>

<sup>14</sup> Aristotle, *On the Soul* 3.2.425b26.

<sup>15</sup> *QMM* 4, q. 9, 148, 19–24.

<sup>16</sup> *I2*, 73, 10–14.

<sup>17</sup> *I2*, 73, 14–74, 18.

<sup>18</sup> *I2*, 74, 18–22.

<sup>19</sup> *I2*, 76, 90–4.

<sup>20</sup> *I2*, 76, 94–7.



Thus, whereas the skeptic says that the sense must appeal to the superior power both to judge that something is an illusion and to judge that it is veridical, Siger contends that it is only necessary to appeal to the superior power to judge that something is an illusion. The position might strike one as odd in the sense that it seems to attribute to the senses the capacity to judge that something is not an illusion (but not that something is) and to the intellect the capacity to judge that something is an illusion (but not that something is not an illusion).

The difficulty here might be due in part to Siger's use of the word judgment. Following medieval practice, Siger sometimes talks about the senses as able to judge (*diiudicare*<sup>21</sup>). In *I2* 76, 90–94, however, where he refers explicitly to intellect, *in contradistinction to sense*, as “some other [faculty] to which it belongs to judge (*iudicare*),” he is using the word in its technical sense of affirming and denying. Siger's point is simply that the testimony of the sense (its judgment) in certain specific cases is a sufficient reason for believing that things are as the sense senses them. Recourse to a superior power—the intellect, whose proper act is judgment—is not necessary; whereas such recourse becomes necessary in order to believe that some deliverance is nonveridical. What Siger wants to say, then, is that sense deliverances, or at least certain types of sense deliverances, are veridical by default and hence credible *per se*, a position we will see him defend at length.

Siger's second answer to the second argument is to say that to require the sanction of another faculty to validate the testimony of the senses is to demand an explanation (*rationem quaerere*) for what is known *per se*; but this would amount to requiring an explanation for everything, from which it follows that nothing will have an explanation. Also, if every belief requires a demonstration of its truth, an infinite regress of explanations will ensue, and therefore there will be no first cause of belief.<sup>22</sup> The arguments only work, of course, if we assume that the senses do yield obvious, *per se* knowledge, but this, as we will now see in more detail, is precisely Siger's point.

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<sup>21</sup> See also *I2*, 75, 53.

<sup>22</sup> *I2*, 76, 98–103. See also *QMM* 4, q. 36, 187, 66–9.



## II

*Sense and evidence.* The point is stated succinctly in his *solutio*:

It must be said that we are certain of the existence of certain things, and <that> all <appearances> are not merely illusions and passions of sentient subjects. Thus we are certain of the existence of things that appear to our senses, provided that sense is not contradicted by a more worthy sense or a reason (*intellectus*) taken from a more worthy sense. We are also certain by the intellect of the existence of certain intelligibles, provided the reason (*intellectus*) is not contradicted by a more worthy reason or <one> taken from a more worthy sense, or by a more worthy sense.<sup>23</sup>

Siger's solution to the skeptic's challenge is based on a distinction between what he calls "more and less worthy senses." It is, he contends, the failure to take this distinction into account that has led philosophers into error.<sup>24</sup> Siger lists three errors that have arisen as a result of this failure. The first error is to infer from the fact that some sense deliverance turns out to be nonveridical, that every deliverance is illusory. The second error is to infer from the fact that some sensations are veridical, that this must be so in the case of all sensations. The third error is committed by those who base themselves on some sense, argument, image, or opinion not taken from a more worthy sense, but whose testimony is incompatible with that of the more worthy sense, and who dismiss the latter. This, Siger tells us, is the error Aristotle attributed to Zeno, who argued that everything is at rest against the evidence of a sense more worthy of being believed.<sup>25</sup> The key to not committing these errors is to realize that "all senses are not equally worthy of being believed."<sup>26</sup> Thus the sense of taste of the healthy individual is to be trusted more than the sick person's; a person awake is more worthy of being believed than one asleep; the proper sensible more than the common sensible, and the sensible *per*

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<sup>23</sup> *I2*, 74, 33–9: "Dicendum quod nos sumus certi de existentia aliquarum rerum, et non sunt omnia simulacra et passionem sentientium. Nos enim sumus certi de existentia rerum nobis apparentium, cui sensui non contradicit sensus dignior vel intellectus acceptus ex sensu digniore. Sumus etiam certi per intellectum de existentia aliquorum intelligibilium, cui intellectui non contradicit intellectus dignior seu acceptus ex sensu digniore, nec etiam sensus dignior; ita quod qui non distinguunt inter sensum digniorem et minus dignum ut ei credatur, incidunt in diversos errores."

<sup>24</sup> *I2*, 74, 39–41.

<sup>25</sup> *I2*, 75, 50–1. See also *Q<sub>i</sub>MD* 4, q. 35, 233, 14–18.

<sup>26</sup> *I2*, 75, 64.



se more than the sensible by accident.<sup>27</sup> The greatest degree of certitude, however, is the one the sense gets from sensing its proper object:

[N]o one can be induced to believe that that white that he sees is not white, neither through the habit of hearing the opposite nor by sophistical arguments.<sup>28</sup>

Part of the interest of Siger's answer stems from the fact that he seems to allow a certain positive role for the intellect, for he explicitly states that a reason stemming from the intellect *can* lead to the overruling of a sense's judgment that some deliverance is veridical. But this, Siger tells us, can only occur if the reason (*intellectus*) is itself based on the testimony of a sense more worthy of being believed.<sup>29</sup> For instance, if I am on a boat and my sense judges that people standing on the shore are in motion,<sup>30</sup> I can overturn that judgment by observing that the boat I am on is in motion with respect to the water, and reflecting that when in the past I have been standing on the shore I did not see or feel myself moving. Thence I can conclude that it is I and not the people on the shore who are in motion. Although my conclusion would be based on an argument, it would nonetheless ultimately rest on the testimony of a sense more worthy of being believed, whereas the subtle argumentation of Zeno, which aims at overruling the sense's judgment concerning the existence of motion, does not. The question that immediately arises, of course, is how I *know* that some particular deliverance is more worthy of being believed. Siger's answer is that, well, I just know:

I say that that which is perceived (*sentitur*) is such as it is perceived is known by nothing else than that it is perceived to be such by that sense and by no other.<sup>31</sup>

<sup>27</sup> *I2*, 75, 65–9; *QiMM* 4, qq. 34 and 35, 181, 52–5.

<sup>28</sup> *QiMM* 4, q. 37, 186, 61–3: "nec enim assuetudine audiendi contrarium, nec ex aliquibus rationibus sophisticis potest aliquis induci ad credendum illud quod videt album non esse album."

<sup>29</sup> This in turn could explain why Siger felt that the senses do not need the intellect to regard a perception as veridical, though it does not explain how the intellect would be in a position to judge that something is an illusion.

<sup>30</sup> This is the only example of sensory illusion provided by Siger in *I2* (74, 43–75, 44).

<sup>31</sup> *QiMD* 4, q. 4, 229, 46–7.



His source for this belief might be Averroes, who in his summary of Aristotle's argument in *Metaphysics* 1010b9–14 had contended that "Aristotle means that we have a primary cognition (*prima cognitio*) by which we distinguish between (the case) where the sense is in error (*sensus falsat*) and where it is veridical."<sup>32</sup> Siger does not refer to this passage, but its tenor squares nicely with his own position. In any case, Siger gets quite irritated at the thought that one could fail to acknowledge this:

To one who does not recognize that a sense is more worthy <of being believed> than another and that some sensation is to be believed *per se*, but who seeks a demonstration for the fact that it is as it appears, to him nothing can be proved, he can be certain of nothing. For it is not possible that something be known or believed, unless there be something that is known and believed *per se*, not through something else.<sup>33</sup>

If, to boot, the evidence of the proper sense is corroborated by other sense information, disbelief becomes downright absurd:

When all the senses concur in the judgment of some sensible thing and they are not opposed by a reason taken from more worthy senses, believing the opposite seems supernatural and almost magical rather than natural, unless one has been accustomed to this from childhood.<sup>34</sup>

There is nothing we can do if someone denies that some senses are to be trusted more than others, the idea here being that the certitude afforded by sensation is the strongest form of certitude we have; if *it* does not convince the skeptic, nothing else possibly could either. In a passage of his commentary on the *Metaphysics*,<sup>35</sup> Siger suggests that those who question the evidence of sense knowledge do not recognize evidence when they see it, and that given that nothing will generate

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<sup>32</sup> Averroes, *Metaph.* 4, com. 24, *Aristotelis opera cum Averrois commentariis*, vol. 8, (Venice: Apud Iunctas, 1562–74), fol. 91 M.

<sup>33</sup> *I2*, 75, 69–76, 74: "Qui autem aliquem sensum esse digniorem quam alium et alicui sensationi per se credendum non accipit, sed huius rationem quaerit quae ostendat quod sit ita sicut apparet, huic nihil probari potest, iste de nullo certus esse potest. Non enim possibile est aliquid esse cognitum vel creditum, nisi sit aliquid quod per se, non per aliud, cognoscatur, cui per se, non per aliud credatur."

<sup>34</sup> *I2*, 75, 52–7: "Cum autem omnes sensus concorditer conveniant in iudicio alicuius rei sensibilis, quibus etiam intellectus acceptus ex sensibus dignioribus non contradicit, credere oppositum illius supernaturale videtur et miraculosum magis quam naturale, nisi forte aliquibus accidere possit ex consuetudine a pueritia."

<sup>35</sup> *QIMM* 4, q. 34, 229–30, 65–72.



more certitude than the perception of the proper sense, searching for an additional validating proof is bound to be a vain enterprise. He then recalls the argument we have just quoted: unless something were known *per se*, that is, unless there were some initial certitude, nothing at all would be certain, for where there is no first certitude, there will be no subsequent one either.<sup>36</sup> It is, he explains, just as necessary to appeal to a first certitude in the order of knowledge as it is to appeal to a first cause in the order of being:

If there is not a first known thing, which is not founded on anything prior, then nothing at all will be known, just as if there were not a first being whose being was not caused by another cause, there would be no being at all.<sup>37</sup>

Now Siger might very well be right about this last claim, but it cannot count as an argument in favor of the thesis that the first certitude is to be found in *sense perception*, for the truth of the principle that there must be a first certitude does not exclude that the first certitude reside in another power, for instance, the intellect. But of course, Siger takes it for granted that intellectual knowledge is grounded in sense knowledge, so that saying that there must be a first certitude really means that the first certitude must be grounded in sense perception. Still, we might feel that Siger needs to offer some basis for the thesis that some sensations are evident *per se* and that the evidence provided by the senses is the strongest, beyond merely assuring us that this just is the case.

There are a few passages in Siger's writings that seem to tackle this problem. One is in q. 34 of book 4 of the commentary on the *Metaphysics*, where he explains that when perceivers are confronted with conflicting sense reports (I "see" sweetness, but what I taste is bitter), it is a matter of empirical fact that they believe one more than the other. Siger's ground for that belief is that, once again as a matter of empirical fact, people always act on the basis of one of two or more conflicting sense reports. If a person were ever in a position of equally believing two conflicting sense reports, she would act in a way which was coherent with each belief, which is absurd. In another

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<sup>36</sup> See Aristotle, *Metaphysics* 4.4.1006a9–10.

<sup>37</sup> *QIMM* 4, q. 37, 187, 66–9: "Si enim non sit aliquid primo notum, cuius simpliciter non sit aliquid prius notificans, nihil simpliciter erit notum, sicut si non esset aliquod Primum Ens, cuius simpliciter non esset alia causa essendi, nihil penitus esset ens."



formulation of the same point,<sup>38</sup> Siger notes that if two deliverances appeared equally certain to an observer, when judging one to be true, the observer would not cease to believe that the other is true, which is also not what we observe. The point, then, is simply that people's behavior shows that they just do trust certain sense deliverances:

[T]hose who say that there is nothing in the judgment of the sense that ought to be believed more, even though they say this, do not actually believe it, as we can tell from their actions.<sup>39</sup>

Of course, all this tells us is that people are prone to behave in certain ways, not that they are right in doing so. Yet the suggestion that they are not, Siger believes, seems so far-fetched as to be devoid of any real philosophical interest. We need to look at Siger's reasons for believing this.

### III

*The ontology of sensation.* When Siger assures us that "no one can be induced to believe that the white that he sees is not white,"<sup>40</sup> he means to point to two things: first, that the sense is infallible with regard to its own sensations, that is, the object is qualitatively as it is sensed, and second, that it cannot doubt that the object it senses exists. The first point emerges clearly from the following text.

What makes it certain that things are such as this judgment says, more than what that judgment says? I say that it is known that what is sensed is such and not otherwise by the fact that it is sensed as such by the proper sense, so that if it is judged by sight that something is sweet, but by taste that it is bitter, it is known that it is determinately bitter by the fact that it is sensed as such by taste. And if someone should require that this be made known by some other <reason>, [. . .] he is looking for a reason where no reason ought to be sought, as Aristotle says here.<sup>41</sup>

Beyond that, the sense cannot doubt that there actually exists something that it senses:

[W]here no doubt is possible, one is not to look for an additional grounding; but this <thing> that some person sees as white, he does not

<sup>38</sup> *Q<sub>i</sub>MD* 4, q. 34, 230, 78–82.

<sup>39</sup> *Q<sub>i</sub>MM* 4, qq. 34 and 35, 181, 56–8.

<sup>40</sup> *Q<sub>i</sub>MM* 4, q. 37, 186, 61–3.



doubt that it is white; which is why one ought not to ask for additional grounding. The minor is evident since when there is vision of some actual white, it <namely, vision> always says that it is white and always judges it <to be> in the same way; which is why it does not err in that <knowledge>; which is why that man does not doubt that that was white. And I do not only mean that man does not doubt that he senses and sees that white that he sees, but I also mean that that man does not doubt that that which he sees as white and of which there is vision actually exists (*esse*); thus one ought not to always ask for some other proof, but one must rest in the sense as in the principle.<sup>41</sup>

This last passage offers a striking statement of what one commonly refers to as “medieval realism.” Siger is not merely asserting that I cannot be wrong about the existence of my inner experiences: he is asserting that when I sense white, I cannot doubt the existence of an object of the sensing, the existence of some actually white thing, though I can be wrong about just which object it is.

It is instructive to read Siger’s commentary of Aristotle’s discussion of this very point in *Metaphysics* 4.5.1010b19–26, and to note his attendant disagreement with Aquinas’s reading of this passage. Aristotle’s goal here is to show that the proper sense is always right about its object or quality and yet that the sense can judge differently at different times. Does this mean that the object actually changes? Aristotle’s answer is that in fact the sense *never* disagrees about its quality. Rather, the disagreement arises only “about that to which the quality

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<sup>41</sup> *QIMM* 4, qq. 34 and 45, 182, 65–72; 2, q. 23, 73, 16–18: “Sed per quid certum est ita se habere sicut dicit hoc iudicium magis quam sicut dicit aliud? Dico quod cognoscitur quod id quod sentitur tale sit et non contrario modo se habens per hoc quod sensu proprio tale sentitur, ut si visu iudicetur aliquid dulce, gustu autem amarum, cognoscitur ipsum determinate esse amarum per hoc quod gustu tale sentitur. Et si aliquis quaerat hoc sibi fieri notum per aliud, in principio rationis rationem quaerit ubi ratio non est quaerenda, ut hic dicit Aristoteles.”

<sup>42</sup> *QIMD* 4, q. 35, 234, 53–62: “[I]n quo nullus potest dubitare, non est quaerendum aliud notificans ipsum; sed in hoc quod quis videt album, quin sit album non dubitat; quare aliud notificans ad hoc non est quaerendum. Minor patet, quia visus si fuerit albi, semper illud dicit esse album et semper eodem modo iudicat; quare in hoc non errat; quare quin hoc fuerit album non dubitat. Et non solum dico quod homo non dubitat quin illud quod videt album sentiat et videat album, sed etiam dico quod homo non dubitat hoc esse quod ipse videt album et cuius est sibi visio; non igitur est semper quaerendum aliud notificans, sed in sensu est standum sicut in principio.”



belongs."<sup>43</sup> Aquinas offers a very literal reading of this passage, one that is in fact little more than a paraphrase, noting that any change that occurs in the perceived quality is due either to a change in the object itself (the wine going from sweet to bitter) or to a change in the sentient subject. The litigious passage follows:

But the sense of taste never changes its judgment without judging sweetness itself to be such as it considered it to be in the sweet thing when it judged it to be sweet.<sup>44</sup>

This last sentence, Siger avers, amounts to a misinterpretation of Aristotle:

Some understand Aristotle to claim that concerning sweetness <the sense> does not change its judgment without judging that <thing> to be how it senses it. But this is incorrect: in order for <a sense> to always judge in the same way regarding sweetness, as Aristotle claims, it is not only necessary that <the sense> judge it <to be> such as it senses it, for it does not always sense it under the same quality, sometimes <it senses it> as sweet, sometimes as bitter, but it is also necessary that it judge it to be as it *is*. Thus, when taste judges that sweetness is bitter, one must understand that <the judgment refers> not only to the sweetness but also to the bitter humor existing in the tongue. Hence, when it judges in this way, it does <not> judge sweet to be bitter, but rather that to which it belongs to be it judges to be bitter, so that that which pertains to the same sweetness it always judges in the same way, that is, that it is sweet.<sup>45</sup>

There is perhaps nothing really substantial about Siger's disagreement with Aquinas. Indeed, Aquinas shares all the realist assumptions regarding sense perception with his colleague at the fac-

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<sup>43</sup> Here is the passage from Aristotle: "But not even at different moments does one sense disagree about the quality, but only about that to which the quality belongs. I mean, for instance, the same wine might seem, if either it or one's body changed, at one time sweet and at another time not sweet; but at least the sweet such as it is when it exists, has never yet changed, but one is always right about it, and that which is to be sweet must of necessity be of such and such a nature." Aristotle, *Metaphysics*, in *The Complete Works of Aristotle*, ed. Jonathan Barnes, vol. 2 (Princeton: Princeton University Press, 1984), 1595–6.

<sup>44</sup> Thomas Aquinas, *In XII Metaphysicorum Aristotelis Expositio*. bk. 4, lect. 14, n. 703, ed. Marie-Raymond Cathala and Raimondo M. Spiazzi (Torino: Marietti, 1950): "Sed nunquam gustus mutat iudicium suum quin ipsam dulcedinem talem iudicet esse qualem perpendit in dulci, quando iudicavit eam esse dulcem."



ulty of arts; Siger seems to seize upon a slightly infelicitous choice of words on Aquinas's part to underscore a point that Aquinas agreed with anyway.<sup>46</sup> Still, though the point is a minor one, it does bring out in a striking way the extent of Siger's realistic commitment: for Siger, sensing is never just a mental occurrence; the judgment of sweetness is not about how I perceive things; it is not about contents of the mind; it is about the nature of the things I perceive. This does not mean that qualities cannot be considered mentally: they can, as Siger makes perfectly clear, but they are not thought to be possible objects of investigation apart from their connection to their physical substrate. This very point emerges again in a passage from Siger's commentary at the beginning of book 4 of the *Metaphysics*. There he tells us that the sense senses its object, the sensible, as well as sensing that it senses the object. In this latter kind of knowledge the sense cannot be wrong. Error can only arise in two ways, either with respect to the sensible object if the sense organ is indisposed or with respect to the common object.<sup>47</sup> Thus, a sense can be wrong about its proper object

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<sup>45</sup> *QIMD* 4, q. 34, 230, 98 – 231, 9, my emphasis: "Et ideo quidam exponunt Aristotelem sic, quod ipse intelligat quod circa dulcedinem non mutat iudicium hoc quin iudicet illud esse tale, quale ipsum sentit. Sed hoc non valet, quia ad hoc quod semper eodem modo iudicet de dulcedine, sicut dicit Aristoteles, non tantum oportet quod tale iudicet ipsum quale ipsum sentit, quia non semper ipsum sentit sub eadem qualitate, sed quandoque ut dulce, quandoque ut amarum; sed oportet quod iudicet ipsum tale quale est. Et ideo intelligendum quod, cum gustus iudicat dulce esse amarum, non solum est dulcis, sed etiam amari humoris in lingua existentis: unde, cum sic iudicat, <non> iudicat dulce esse amarum, sed illud cuius est esse iudicat amarum; unde cuius est ipsius dulcis semper eodem modo iudicat, ut ipsum esse dulce." Here is the parallel passage from *QIMM*: "Some interpret this such that in the act of sensation the sense senses the sensible and senses its own act; for it is always right in its judgment of what the sensation is, so that it judges the sensation to be as it considers it, though it does not always judge the sensible <thing> to be as it is. But this is not consonant with Aristotle's text. For he says that the sense never changed once it judged what sweetness is, but is always right about it." Latin text: "Exponunt autem quidam hoc sic, quia in actu sentiendi sensus sentit sensibile et sentit actum suum; semper autem est verus iudicando qualis sensatio sibi fiat, ita quod qualem sensationem perpendit talem eam iudicat; non semper autem quale est sensibile, tale ipsum iudicat. Sed huic non consonat littera Aristotelis. Dicit enim quod sensus quale est dulce quando fuerit numquam mutavit, sed semper de ipso verum dicit." *QIMM* 4, qq. 34 and 35, 183, 99–104.

<sup>46</sup> Siger probably read Aquinas's commentary very closely when he was writing his own commentary. See Andre Maurer's remarks in *QIMM*, p. 17.

<sup>47</sup> *QIMM* 4, q. 4, 148, 15–20.



when, say, wine is sweet but tastes bitter owing to an indisposition of the tongue. The erroneous sense judgment does not, however, stem from the fact that the sweetness is tasted *as* bitter, for as Siger has just explained in *QiMD* 4, q. 34, 230, 98 – 231, 9, the sense can only taste sweetness as sweet. The sense can also err in attributing the bitterness to the common sensible, in this case the wine—or rather the colored liquid that turns out to be wine. Thus, error in sense knowledge, for Siger, resides not in confusing mental states with real things, a problem he nowhere envisages, but either in the sense's sensing the wrong quality or in the attribution of real qualities to the wrong supporting substrate. Nevertheless, the main point Siger seems to be wanting to make in the above passage is that, barring the case of deception and the senses being hindered from functioning normally, my being certain that I taste the wine's sweetness is also my being certain that the wine is truly sweet.

#### IV

*Siger and the Academics.* The remarkable thing about Siger's discussion is that he seems to be unworried by what we might feel is the *real* problem of skepticism. For instance, he seems unmoved by cases of perceptual illusions to which the Academics had famously pointed in support of their thesis that veridical appearances are indistinguishable from nonveridical ones.<sup>48</sup>

Their arguments were known to the medievals primarily through Augustine,<sup>49</sup> but Siger, as a philosopher working at the Faculty of Arts, typically quotes only philosophers, and, as far as I know, does not so much as mention or even allude to Augustine in his writings. In any case, he never alludes to the Academics' argument.<sup>50</sup> The closest he

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<sup>48</sup> The thesis is attributed to Carneades by Sextus Empiricus (*Against the Professors* 7, 159–65), and can be traced back to Arcesilaus (Cicero, *Academica* 2.77–8). For discussion and presentation of these and other relevant texts, see Anthony A. Long and David N. Sedley, *The Hellenistic Philosophers*, vol. 1, (Cambridge: Cambridge University Press: 1987), 239–53 and 455–62.

<sup>49</sup> For the medievals' knowledge of ancient skepticism, see Pasquale Porro, "Il *Sextus latinus* e l'immagine dello scetticismo antico nel medioevo," *Elenchos* 2 (1994): 229–53.



comes to it is in two connected objections against his own position voiced by the skeptical opponent in *I2*.

The first objection is that there is nothing (*nulla re*), that is, no sensible quality, judged to be one way that is not also judged to be otherwise. But if the reason we deem the quality to *be* one way is because it appears that way, then for the same reason we might just as well conclude it to *be* otherwise because it appears otherwise. And as both perceptions cannot be true, we infer that both are appearances: so argues the skeptic.<sup>51</sup> Now we know that Siger's answer to that argument is to appeal to the difference between senses more and less worthy of being believed. But the skeptic then goes on to show that that answer is of no avail: "If you say that one ought not with equal reason believe a person who is awake and a person who is asleep, nor a person who is well and one who is ill, one who is wise and one who is unwise, the same argument applies."<sup>52</sup> Actually, the application of the argument yields somewhat clumsy examples: a person who is deemed to be awake by one observer will be deemed to be asleep by another (!), one judged to be reliable in matters of taste by one observer will be judged not to be by another.<sup>53</sup> The moral however is clear: we cannot appeal to the distinction between more and less worthy senses without begging the question as to what a more or less worthy sense is.

Siger does not actually respond to the skeptic's charge, but his answer can be inferred from what he has said previously. If as a matter of fact we do not hesitate between two competing sense reports, if as a matter of empirical fact we do believe our sense deliverances (because we act in conformity with them), then the various scenarios adduced by the skeptics (dream arguments, hallucinations and so forth) are nothing else but sophistry. Although the skeptic's argument in *I2* is not exactly that of the Academics, Siger would probably have felt that the same answer would apply equally well to the Academics' argument. In fact this was exactly the position of a close contemporary of Siger's, the theologian Henry of Ghent, who explicitly

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<sup>50</sup> Of course Augustine was clearly not the only source, and his favorite philosophers, Aristotle and Averroes, abound in relevant examples, for instance in the *de somnis*.

<sup>51</sup> *I2*, 74, 23–6.

<sup>52</sup> *I2*, 74, 27–9: "Quod si tu dicas quod non aequali ratione credendum est vigilantibus et dormientibus, nec sano et infirmo, nec sapienti et insipienti, eadem ratione arguitur."

<sup>53</sup> See also *QMM* 4, qq. 34–5, 180, 21–7; 181, 38–44.



connects arguments close to the ones made by the skeptic in *I2*, 74, 26–8 with those of the Academics and provides the same answer in response to both positions, one that is quite close to that of Siger's, at least on one important point.

The passage in question occurs in Henry's *Summa quaestionum ordinariarum* which contains many quite lengthy discussions devoted to the problem of knowledge.<sup>54</sup> The opening question of the *Summa* asks whether man can know anything. One of the many arguments listed against the possibility of human knowledge is the familiar Aristotelian argument that things appear differently to many observers or appear differently to the same observer at different times; therefore, as all knowledge is based on the senses, there will be no certainty there either.<sup>55</sup>

Henry's answer to this question is roughly the same as Siger's: it is not because the same thing appears differently to one person or to many that the senses are never to be trusted, for something can be perceived determinately by a sense that is not deceived, at the time at which it is not deceived.<sup>56</sup> He then turns to the Academics' argument that "nothing is perceived determinately by (infallible) signs," and finds it wanting for the same reasons.

For what they say is not true that nothing is perceived determinately by signs, and that they <that is, the signs> do not vouch veridically (*verificant*) for the thing; rather, signs which are the proper sensibles of a particular sense, reveal what they are to the proper sense when it is not deceived or hindered.<sup>57</sup>

However, although Henry believes, as Siger did, that the proper sensibles reveal themselves as they are to the proper sense, he also believes, unlike Siger, that it belongs to the intellect to recognize which sense is not deceived:

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<sup>54</sup> For a thorough discussion of Henry's doctrine of sense perception and his stance on the question of skepticism, see Marilyn McCord Adams, *William Ockham*, vol. 1 (Notre Dame: University of Notre Dame Press, 1987), 551–71.

<sup>55</sup> Henry of Ghent, *Summa quaestionum ordinariarum* (Paris, 1520), a. 1, q. 1, fol. 1rA.

<sup>56</sup> *Summa*, a. 1, q. 1, ad 3, fol. 3rG.

<sup>57</sup> *Summa*, a. 1, q. 1, fol. 3rG: "Non enim verum est dictum eorum quod nihil percipit determinate per signa et quod non verificant de re: immo signa quae sunt propria sensibilia alicuius sensus, id quod sunt ostendunt sensui proprio non decepto nec impedito."



Thus, even though the same thing can appear differently to the same observer or to different observers, that is only because of the deception or the impediment of a particular sense which should not be believed in that instance. For a sense that is not deceived one should most certainly believe; which <sense> is such, it belongs to the intellect to judge on the basis of many experiences concerning that about which a sense can be deceived or hindered.<sup>58</sup>

Henry reiterates this position in greater detail later on in the *Summa* when responding to the contention that truth cannot be known with certitude without there being features that distinguish it from the false.<sup>59</sup> Henry replies that it is true that there is no specific difference between a veridical sensation and a nonveridical one, in the sense that both are sensations. Thus, the sense of sight is unable to discern between gold and brass. Reason (*ratio*), however, transcends the sense and is able to discern the veridical from the illusory.<sup>60</sup> By allowing that there is no specific difference between a veridical sensation and a nonveridical one, Henry seems to want to grant precisely that which Siger adamantly denies: namely, that we in some sense do not *intuitively* distinguish between the illusory and the veridical. But what Henry is considering in this later text of the *Summa* is not the problem Siger is most anxious to resolve both in *I2* and in his commentary to the *Metaphysics*—namely, the existential certainty regarding the objects of the proper sense—but our knowledge of the common sensible, where Siger is perfectly willing to recognize the sense's fallibility.<sup>61</sup> But although, as we have seen, Siger would have recognized the need, in this latter case, to appeal to reasons taken from a superior power, that is, the intellect, he would also have claimed, if I have understood him correctly, that the intellect's judgment was ultimately based on the testimony of another sense.

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<sup>58</sup> *Summa*, a. 1, q. 1, fol. 3rG–H: “Unde et quamvis idem diversimode apparet eidem vel diversis, hoc non est nisi propter deceptionem vel impedimentum alicuius sensus cui non oportet credere in hoc: nec tamen propter hoc dicendum est quod nulli sensui credendum est. Sensui enim non decepto omnino oportet credere: et quis sit talis maxime habet iudicare intellectus ex pluribus experimentationibus prae habitis circa illa in quibus sensus potest decipi vel impediri.”

<sup>59</sup> *Summa*, a. 1, q. 1, fol. 23vA.

<sup>60</sup> *Summa*, a. 1, q. 1, fol. 24rD.

<sup>61</sup> See *QiMM* 4, q. 9, 148, 18–19.



## V

*Conclusion.* According to Siger, then, our reasons for believing that things are as they appear, is that they appear that way. That is not to say that all appearances are equally trustworthy. They are only trustworthy when they do not conflict with information that can ultimately be traced back to another sense more worthy of being believed. Siger does not describe the process through which we come to distinguish between more and less trustworthy senses. On the one hand, he seems to incline toward the view that veridical perceptions are in some sense intuitively obvious. On the other hand, much of what he says suggests that their obviousness is only relative to other sense perceptions, which implies that a given deliverance can be deemed veridical only as a result of a process of comparison between different sense reports. What Siger is quite clear about, however, is that while intellectual knowledge does play some role in that process, it is ultimately the senses themselves that provide the decisive certitude. As Siger puts it in the Commentary on the *Metaphysics*,<sup>62</sup> there is no more persuasive reason for believing something than the fact that the appropriate sense testifies to its existence. If we were to seek another reason, we would either come up with a reason that wasn't effective at all or one that was effective only because it told us that something is such because it is sensed as such. Siger's insistence on the primacy of the senses is systematic throughout his epistemological writings, and the attention he devotes to the issue and to the reliability of the senses as a means of knowledge suffice to set his commentary apart from that of, say, Aquinas. This insistence on the primacy of the senses might provide a clue to the thesis that the intellect is needed to unmask illusions but not to recognize veridical sense reports: Siger might be pointing to the fact that the senses are veridical by default.

Although, as we have seen, Siger's argument against skepticism is not aimed at the type of skepticism associated with the Academics, this need not be seen as a defect in his position. Because Siger does not frame the problem of sense perception in the terms in which it is couched by the Academics, arguments such as the indiscernability argument (between dreams and wakeful experiences for example) can-

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<sup>62</sup> *Q<sub>i</sub>MD* 4, q. 34, 229, 49–54.



not get off the ground. Whereas the Academic points to the allegedly evident indiscernibility of certain veridical and nonveridical perceptions, one could surmise that Siger might have taken it as equally evident that there is no such indistinguishability. He might have pointed out that our actions show that we do make the requisite distinction between two putatively indistinguishable perceptions. Regrettably, Siger does not comment on the most explicit passage in this regard in chapter 5 of *Metaphysics* IV. In its cryptic Aristotelian formulation, the passage reads thus: "If someone in Libya believes himself one night in Athens, he does not set off for the Odeon." It is not clear from the wording, as one scholar put it, whether Aristotle means "that *we* know that the dreamer is not in Athens, or that *he* knows."<sup>63</sup> Scholastic commentators however tended to adopt the second reading. Dreamlike experiences and wakeful ones are clearly not indiscernible, not because of some internal feature that immediately labels one as veridical or nonveridical, but because upon awaking the dreamer will act in accordance with his wakeful perceptions, not his dreams, which presupposes that he has the ability to compare both.<sup>64</sup> However, although this general approach could be successful in defusing arguments such as the dream argument, it might be less successful in answering the challenge posed by, say, hallucinations, which, alas, Siger does not discuss.<sup>65</sup>

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<sup>63</sup> Christopher Kirwan, *Aristotle's Metaphysics, Books Γ, Δ, and E*, (Oxford: Clarendon Press, 1971), 109.

<sup>64</sup> See Thomas Aquinas, *In XII Metaphysicorum Aristotelis Expositio*, bk. 4, lect. 14, n. 698.

<sup>65</sup> I wish to thank Claude Panaccio for helpful comments on an earlier version of this paper.



## HEIDEGGER, PAUL KLEE, AND THE ORIGIN OF THE WORK OF ART

STEPHEN H. WATSON

WHILE HE WAS SAID TO HAVE FOUND PAUL KLEE'S WRITINGS too neo-Kantian, overly concerned with form, and too cosmological, Martin Heidegger spent hours looking at Klee's late paintings and expressed a keen interest that was never fulfilled to write about them. Nonetheless, the writing on art that is his most well known, "The Origin of the Work of Art," written in the mid-1930's, remained a somewhat conflicted work about the art of its time. It began as an exposition of the history of ontological concepts that issued in the distinctions between form and matter "usually employed" in aesthetics. He did so, as he put it, because we "mistrust this concept of the thing, which represents it as formed matter."<sup>1</sup> Poised on what he termed elsewhere as an "overcoming of aesthetics,"<sup>2</sup> this account refused to view art as representations of subjective experience. He held instead that works of art involved a more primordial struggling with the truth of their time; art is ultimately capable of opening up a domain of truth and art is especially suited to opening up such truths. Heidegger held that the conceptual history through which this origin of the work of art could be made manifest needed to be understood within the context (and a certain leveling) of its Greek origins. As a result he argued for an understanding of the thing as emerging from the earth (*physis*)—and the figuration (*Gestaltung*) of the work of art itself as a setting or bringing forth the being of such things (and their truth) into the open. Art thereby became linked with *poiesis*, and ultimately, a kind of human dwelling (*ethos*) that appropriately articulated the art and the world of

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<sup>1</sup> Martin Heidegger, "The Origin of the Work of Art," in *Poetry, Language, Thought*, trans. Albert Hofstadter (New York: Harper & Row, 1971), 27. Cited hereafter as PLT.

<sup>2</sup> Martin Heidegger, *Contributions to Philosophy (From Enowning)*, trans. Parvis Emad, Kenneth Maly (Bloomington: Indiana University Press, 1999), 354. Cited hereafter as B.

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its time. Infamously, in the thirties, the art of its time meant an art that would yet unite the German people—as much scholarship over the last decade has debated. Heidegger, not soon enough thereafter, seemed to demure about the connection, though he continued to think about art in connection with the truth of our time: its calculative and technological enframing (*Gestell*) and how we might confront the dangers of its leveling grip on us.

Many believed that this meant that Heidegger was not at all conflicted about contemporary art. In “The Origin of the Work of Art,” Heidegger wrote not about Picasso or Braque but more about Greek temples and vases. He did speak briefly about Van Gogh (as depicting the reliability of the earth on the mud of peasant shoes), ultimately telling us that art was about understanding the interrelations joining earth and sky, mortals and divinities, the event of the ‘fourfold’ (*Das Geviert*). “Abstract art,” he reputedly said, is a “tool that unfolds the being of technology” rather than the Greek’s art, which “revealed the emergence of the world.”<sup>3</sup> Like many in the lingering neoclassicism of the phenomenological movement, beginning with Brentano’s own retrievals of the medieval *intentio*, classical treatises in phenomenological aesthetics seemed overwhelmed by the practices of the avant-garde that were going on around them. Indeed, Brentano himself still posited the beautiful as a timeless intuition.<sup>4</sup> When it came to art, it seemed to be a matter, as the title of a famous article put it, of “Heidegger et la pensée du déclin,” a matter made all the more manifest by Heidegger’s claim that modern art itself had been largely a decline from the initial “realizations” of Cézanne’s heroic realism.<sup>5</sup> In lectures dating from 1929–30, Heidegger, like Benjamin, had thought in this regard that both philosophy and art begin in melancholy (*Schwermut*).<sup>6</sup> Unlike Benjamin, Heidegger seemed to have spent

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<sup>3</sup> Heinrich Weigand Petzet, *Encounters and Dialogues With Martin Heidegger*, trans. Parvis Emad, Kenneth Maly (Chicago: University of Chicago Press, 1993), 66.

<sup>4</sup> See Franz Brentano, *Grundzüge der Ästhetik* (Hamburg: Meiner, 1988).

<sup>5</sup> See “Heidegger et la pensée du déclin,” in Jean Beaufret, *Dialogue avec Heidegger 3: Approche de Heidegger* (Paris: Éditions de Minuit, 1974), 155–82.

<sup>6</sup> Martin Heidegger, *The Fundamental Concepts of Metaphysics*, trans. William McNeill, Nicholas Walker (Bloomington: Indiana University Press, 1995), 182. Cited hereafter as FCM.



most of his time mournfully reading Hölderlin to understand the contemporary. In fact, both Heidegger and Benjamin, who had written a thesis on romantic criticism, had roots in post-Kantian philosophy; its legacy seemed to many to lie contested between them, divided between neoclassical nostalgia and romantic revolution. For Benjamin, this connection formed the protocols for his affirmation of the artistic avant-garde; Heidegger seemingly remained more skeptical, or at least more ambivalent about the "greatness" of contemporary art in comparison to the Greeks.

It was easy to criticize this. As a result, defenders of Heidegger often spent much of their time leading us between the lines to see a theoretical potential that, on the face of it, Heidegger's apparently nostalgic text seemed patently to deny. The epilogue of "The Origin of the Work of Art," which returned us to Hegel's rationalist funeral oration on the work of art, seemed to confirm this. It surpassed the "romantic" theoretical potentials of those like Novalis or Schelling (let alone the commitments like those of Schlegel to the political potentials of civic republicanism). The concern that art might be a thing of the past seemed to further confirm the worst: that Heidegger's thought was not only a thought *Unterweg* but often of two minds about itself, one of which could occasionally be not only untimely, but deplorable. Why would a thought committed to Hölderlin's mourning (and hence continuing legacy) about the Greek past turn in the end almost defiantly to Hegel's rationalist *Aufheben*? That is, was art not only dead and buried, but surpassed by speculative Reason (*Vernunft*)?<sup>7</sup> Why would Heidegger be so silent about the revolutionary art that was being produced in his own back yard? At moments like this, condemnations of Heidegger like Adorno's concerning Heidegger's jargon and anachronisms seemed the only plausible alternative.

In addition to many worthy laborers who steadfastly held to the contrary, we owe credit especially to his art historian student, Heinrich Petzet, to have confounded all this. In fact Heidegger's most esteemed interpreter, Otto Pöggeler, recently wrote a book largely based upon the information Petzet relates as well as certain manuscripts on

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<sup>7</sup> See Jacques Taminiaux, "The Hegelian Legacy in Heidegger's Overcoming of Aesthetics," in *Poetics, Speculation, and Judgement*, trans. Michael Gendre (Albany: SUNY Press, 1993).



Klee.<sup>8</sup> In any case, and the purist in such scholarly matters would rightly demure here, Heidegger left little now published. For now, we must take such second hand reports at their word, a particularly stretched and vicious version of editing in the “last hand.” Notwithstanding this careful scholarship, we know nothing of what Klee thought of Heidegger. Hence “Klee” and “Heidegger” here can be no more than formal indicators for certain paths or arguments that emerge in their respective works, artistic, poetic, or philosophical. With such provisos in mind, further discussion of Heidegger and Klee involves a risk worth taking, because of the picture that apparently emerges. Both Pöggeler and Petzet relate that Heidegger came to think that “The Origin of the Work of Art” now needed a second part focused on the work of Paul Klee, that in Klee’s work there was a “turning.”<sup>9</sup> Presumably, it was similar to the turning of his own work away from *Being and Time* and defiantly beyond the dangerous “entanglements” of technological enframing.<sup>10</sup> Indeed, if he were still willing to say that such a turning had been prepared for by Cézanne, and claimed that Cézanne’s path into the depths and his own were the same, it is Klee who seemed ultimately to be decisive. Even if he described Klee’s work as he did Greek temples, less as an object, a *Gegenstand*, than Beings’ coming into presence out of unconcealment (or *zu-stand*), he still claimed that “in Klee something has happened that none of us yet grasps.”<sup>11</sup>

There had been indications. The opening lines to the decisive 1962 lecture, “Time and Being,” cites Paul Klee (along with Georg Trakl and Werner Heisenberg). Heisenberg had been decisive in the theoretical formulations of Heidegger’s late account of the relation between science and technology. A 1960 seminar prospectus on the topic of *Bild und Image* conjoined Klee’s 1924 Jena manifesto, “On Modern Art,” with a quote from Heraclitus, a passage from Augustine’s *Confessions* and Chuang-tzu’s simile of the carillon stand.<sup>12</sup> These texts, which were not in conflict with Klee’s own theoretical ar-

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<sup>8</sup> See Otto Pöggeler, *Bild und Technik: Heidegger, Klee und die Moderne Kunst* (Munich: Wilhelm Fink Verlag, 2002).

<sup>9</sup> Petzet, *Encounters and Dialogues*, 149, 146.

<sup>10</sup> Martin Heidegger, *The Question Concerning Technology and Other Essays*, trans. William Levitt (New York: Harper & Row, 1977), 43–5. Cited hereafter as QCT.

<sup>11</sup> Petzet, *Encounters and Dialogues*, 142, 150.

<sup>12</sup> *Ibid.*, 59.



ticulemes, were conjoined in a way that might have denied the inevitability of the peril Heidegger perceived in modern art. Moreover this might indicate that not simply Klee's art but his writings were significant, leading us beyond the overdeterminations between abstraction and technology. Interestingly, a 1964 letter also denies that he is committed to thinking that "abstract art is a branch of modern technology."<sup>13</sup> Yet it is the most technological aspects of modern art that seem omitted from his accounts: for instance, Van Gogh's use of color, Cézanne's geometrical elements that led toward cubism, Klee's own constructivism—let alone all in Klee's work that both the dadaists and the surrealists found remarkable. It is, one might think, these concrete and historical aspects that get mythologized in Heidegger's attempts to grasp art as emerging from its world, its earth or *physis*.

Not only in his art but in his writing, Klee finds here what Heidegger insists is the trace of Being, though not, it would seem, as a Being which exceeds all beings. Klee's concern is more explicitly the being of nature, for example, in his appeal to a natural functionalism that itself transcends formalism. Given Heidegger's own sensitivities concerning nature, however, it would seem that the matter must be difficult to adjudicate. For example, Heidegger's lectures on organicism, to which we shall return, reject mechanical accounts of nature. "Life is not simply organism, but is just as essentially process, thus formally speaking motion."<sup>14</sup> His later emphasis upon the Greek's *physis* in understanding Being only continued this. While he proposed to use Klee's Jena lecture on art in seminar Heidegger denied that what the artist thought was decisive. Petzet reports that Heidegger claimed that "it's not yet clear whether Klee's own interpretations of his works 'cosmic', etc., actually, represent the whole of what happens in his creation."<sup>15</sup> Grasping the whole seemed decisive: against the misinterpretation of Klee's tachism, whose principle seemed to be "letting things run," Petzet reports that Heidegger insisted that "there is inevitably a letting a 'whole' to be seen."<sup>16</sup> Like Rilke's poetry, Heidegger claimed,

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<sup>13</sup> Letter to R. Kramer-Badoni, cited in R. Kramer-Badoni, *Zwischen Allen Stühlen* (Munich: Herbig, 1985), 166.

<sup>14</sup> Heidegger, FCM, 265.

<sup>15</sup> Petzet, *Encounters and Dialogues*, 148.

<sup>16</sup> *Ibid.*, 149.



such painterly *poiesis* still celebrates “the wholeness of the sphere of Being.”<sup>17</sup> As Klee put it, “a sense of totality has entered into the artist’s conception of the material object,” a realm beyond appearance.<sup>18</sup> Notwithstanding his general claim that “thinking solves no cosmic riddles,”<sup>19</sup> Heidegger’s work surely was not without its cosmic tone in its account of the emergence and “worlding of the world” (*Das Welt weltet*).<sup>20</sup> This theme accompanies his thought from the outset. As such, as “world-projection,” Klee’s thought thus maintained what Pöggeler describes as Heidegger’s theoretical site, the site of transcendental schematism, albeit rearticulated by the latter in the problem of Being itself.

The result however remains complicated. Heidegger famously invoked Kant’s account of the transcendental illusion of ontotheology to criticize metaphysics, but Heidegger’s own stress on “the worlding of the world,” even its articulation through *Dasein* as a “Being-in-the-world,” was perhaps dangerously closer to the other form Kant criticized, cosmotheology.<sup>21</sup> And what of Heidegger’s other cosmological figures—earth, sky, mortals, divinities – in what sense do they figure (or even mythologize) Being? After all, nowhere in all of this, to use Merleau-Ponty’s characterization of classical idealism, does Heidegger argue for an “acosmic subject.”<sup>22</sup> Rather, in the event of the fourfold interrelating mortals and divinities, world and earth, he is attempting to articulate its occurrence otherwise. Clearly the figures of the fourfold cannot be understood in terms of indexicals or logically proper names, but are to be understood equiprimordially, figures of a

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<sup>17</sup> Heidegger, PLT, 105.

<sup>18</sup> Paul Klee, *Notebooks Volume 1: The Thinking Eye*, trans. Ralph Manheim (London: Lund Humphries, 1961), 66. Cited hereafter as N.

<sup>19</sup> Martin Heidegger, *What is Called Thinking?*, trans. Fred D. Wieck and J. Glenn Gray (New York: Harper & Row, 1968), 159. Cited hereafter as WCT.

<sup>20</sup> Heidegger, PLT, 43.

<sup>21</sup> See Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: MacMillan, 1973), 525 (A632/B660). Following the standard practice, I include the pagination of the first and second (or A and B) editions. While ontotheology “believes it can know the existence of (the original being) through mere concepts, without the help of any experience whatsoever” cosmotheology “proposes to deduce the existence of the original being from an experience in general.”

<sup>22</sup> Maurice Merleau-Ponty, *Phenomenology of Perception*, trans. Colin Smith, revised by Forrest Williams (Humanities Press, 1981), 441. Cited hereafter as PoP.



certain "equiprimordial venture," to use the term for the components of *In-der-weltsein*.<sup>23</sup> Such equiprimordiality (*Gleichursprünglichkeit*) remains the "formal indicator" for what was once thought of in terms of analogy, which, for all Heidegger's criticisms, remained throughout a fellow traveller of the *Seinsfrage*. It remains still evident in his articulation of the four-fold's "primal oneness."<sup>24</sup> Indeed, in this sense Husserl was not simply wrong in claiming that "there is still a bit of Thomism embedded in Heidegger."<sup>25</sup> There is so, however, now, it might be replied, only as a matter of its ruins, difference and dispersion—its "ruinance." But does this remove it from the theological or mythological? And, if not, does the event of world appropriation (*Ereignis*) become theological or mythological? The answer seems clear. Being is not identical with these mythemes; they are the dimensions (and figures) of its appropriation. The move from the hermeneutic or "horizontal" schematism of *Being and Time* to that of *Ereignis* continues the former's inner circularity.<sup>26</sup> Heidegger had, after all, already there invoked the myth of *cura* (equally with narratological links to Goethe) to confirm the Dasein metanarrative.<sup>27</sup>

Still, all this doesn't initially sound like Klee, it will again be replied. In the first place, these metanarratives sound too monumental. As Adorno and others emphasize, Klee's work, often in miniature, does not sound this "big." For historical reasons, Klee was already concerned with what Heidegger would call "gigantism," or Adorno the violence of "growing structuration."<sup>28</sup> Moreover, while Klee, like Heidegger, held an interest in Greek tragedy, his understanding remained modern, equally committed to the transformations of experimentalism. Scholars of Klee have insisted that the function of myth in

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<sup>23</sup> Martin Heidegger, *Being and Time*, trans. John Macquarrie and John Robinson (New York: Harper & Row, 1962), 170. Cited hereafter as BT.

<sup>24</sup> Heidegger, PLT, 147.

<sup>25</sup> See Edmund Husserl, "Marginal Notes on Being and Time," in *Psychological and Transcendental Phenomenology and the Confrontation with Heidegger 1927–1931*, ed. Thomas Sheehan and Richard E. Palmer (Dordrecht: Kluwer, 1997), 285.

<sup>26</sup> Heidegger, BT, 416.

<sup>27</sup> *Ibid.*, 492n.

<sup>28</sup> Theodor W. Adorno, *Aesthetic Theory*, trans. Robert Hullot-Kentor (Minneapolis: University of Minnesota Press, 1997), 221. Cited hereafter as AT. On Heidegger's discussion of gigantism, see B, 94.



Klee's late work is vitally important to its grasp, especially perhaps its critical and political implications. Heidegger (or "Heidegger-Petzet") says little about this, either not noticing or not fully aware of it. It is true, however, that these works occur, like Heidegger's, during a time of political mythologizing. Here Klee had invoked fascist myth against itself.<sup>29</sup>

From the beginning to the end of his career, Klee's work takes place through the figures of myth, but never in simple affirmation. Even in his theoretical writings, whose formalism was thought by previous writers like Herbert Read to provide the *principia aesthetica* of modern aesthetics, Klee invoked ancient mythemes, albeit often overdetermined in irony, contestation, and critique of time and tradition.<sup>30</sup> If Heidegger had missed these critical overtones, even he saw, especially in Klee's paintings concerning the onslaught of death, something "profoundly ominous."<sup>31</sup> Hidden throughout these experimental refigurations, however, there may be something that Heidegger sensed, but perhaps missed, and which binds together both its affirmation of myth and experimental refiguration.

If we are to grasp this, to begin with, we should examine Heidegger's misgivings about Klee's "cosmic" interpretations. In his early lectures on Aristotle, written about the same time as Klee's own writings on art, Heidegger denies that "some incidentally chosen particular reality (e.g. the cosmos or nature)" can grasp the phenomenological relation between life and world. The world is what is lived and life is articulated as a nexus through which "one goes out into the world."<sup>32</sup> In comparison, Klee's mathematical generativities would simply seem to be illicit abstractions of Heidegger's more fundamental ontology.

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<sup>29</sup> See Kathryn E. Kramer, "Myth, Invisibility, and Politics in the Late Work of Paul Klee," in *Languages of Visuality: Crossings Between Art, Politics, and Literature*, ed. Beate Allert (Detroit: Wayne State University Press, 1996). Heidegger too used classical myths deconstructively, as was the case with his reading of Hölderlin. Nonetheless Heidegger's earlier complicities with Nazism surely make his later criticisms much more ambiguous than Klee's. See Fred Dallmayr, *The Other Heidegger* (Ithaca: Cornell University Press, 1993).

<sup>30</sup> See Herbert Read, *A Concise History of Modern Painting* (New York: Praeger: 1959), 186.

<sup>31</sup> Petzet, *Encounters and Dialogues*, 150.

<sup>32</sup> Martin Heidegger, *Phenomenological Interpretations of Aristotle*, trans. Richard Rojcewicz (Bloomington: Indiana University Press, 2001), 65.



Perhaps they require closer scrutiny. In the first place, like Heidegger's own later articulations of the fourfold, they are less "incidentally chosen entities" (less ontic) than they are figures (or schemata) of world appropriation or projection, of Being—and yet they are the figures of Klee's formalism. It is here, Pöggeler reports, that Heidegger "was of the opinion that Klee's theoretical analysis was too close to neo-Kantian positions, which were one-sidedly bent on form."<sup>33</sup> As we have seen, the "Origin of the Work of Art" argued that "matter and form have a deeper origin."<sup>34</sup> Klee's account of pictorial composition assuredly begins most formally (and classically), based geometrically on the concepts of point, line, and plane.<sup>35</sup> Still, the picture plane is not simply extensionally constituted, but a dynamic ontogenesis of forces. Chaos, as he puts it, is a concept that arises only antithetically, juxtaposed by binary opposition, only in relation to the figure of the cosmos. We should be wary of simple "antithesis" talk. Invoking an account of interdependent determinability that dates at least as far back as Fichte, Klee declared that "there is no such thing as a concept in itself."<sup>36</sup> This would include the concept of antithesis itself, presumably. "Chaos as an antithesis is not complete and utter chaos, but a locally determined concept relating to the concept of chaos."<sup>37</sup> Here, too, Klee seems to have romantic antecedents. As Benjamin quoted Schlegel in his own *Habilitationsschrift*: "The highest beauty, indeed the highest order is still only that of chaos—namely a chaos that awaits but the touch of love to unfold into a harmonious world."<sup>38</sup> Yet

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<sup>33</sup> Otto Pöggeler, "Heidegger on Art," in *Martin Heidegger, Politics, Art, and Technology*, ed. Karsten Harries and Christoph Jamme (New York: Holmes & Meier, 1994), 122.

<sup>34</sup> Heidegger, PLT, 34.

<sup>35</sup> As Marcel Franciscono notes, Klee's point/line/space paradigm begins his "treatise" on art in the same way that Alberti and Leonardo had sought to emulate Euclid. His formalism however will break even with his Bauhaus colleagues in articulating the tension (*Spannung*) and (ontological) forces in their midst. See Marcel Franciscono, *Paul Klee: His Work and Thought* (Chicago: University of Chicago Press, 1991), 248–55.

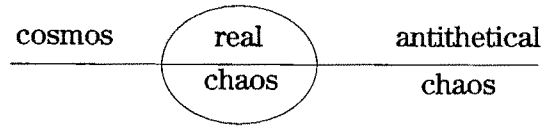
<sup>36</sup> Klee, N, 5.

<sup>37</sup> *Ibid.*, 2.

<sup>38</sup> F. Schlegel, *Jugendschriften*, cited by Walter Benjamin, "The Concept of Criticism in German Romanticism," *Selected Writings*, vol. 1, trans. David Lachterman, Howard Eiland, and Ian Balfour (Cambridge: Harvard University Press, 1996), 168.



Klee insisted on articulating this event “formally.” Schematically, this is how Klee expressed it at one point:



On Heideggerean grounds, this might seem simply to still move “within the prevailing attitude belonging to technological, calculating representation.”<sup>39</sup> What Klee adds however is equally decisive: “The pictorial symbol for this ‘non-concept’ is the point that is really not a point, the mathematical point.”<sup>40</sup> Now if this sounds too formal or neo-Kantian—“morphological”—it also sounds very much like the Goethian concept of symbol (and nature) that had so attracted others, like Benjamin or Gadamer and doubtless even Heidegger himself.<sup>41</sup> As Benjamin quoted Goethe, “Beauty in its relation to nature can only be defined as that which remains true to its essential nature only when veiled,” an event in which “the inadequate becomes an actuality (*in dem das Unzulängliche Ereignis wird*).”<sup>42</sup> This echoes other romantic innovations of the differential (for instance, Maimon), and the difference that “dis-articulates” the sensible and the intelligible or the visible and the invisible. While Petzet notes that Heidegger would not have known but would have been interested in Klee’s Goethian world, we should perhaps wonder about this: its echoes are not that distant.<sup>43</sup>

Klee’s account here is complex; it is less the posited thesis of a formal construct (as it had been for his Bauhaus colleagues like Kand-

<sup>39</sup> Heidegger, QCT, 48.

<sup>40</sup> Klee, N, 3.

<sup>41</sup> On Gadamer and Benjamin’s understanding of the symbolic in Klee, see my “Gadamer, Aesthetic Modernism, and the Rehabilitation of Allegory: The Relevance of Paul Klee,” *Research in Phenomenology*, 34 (2004): 45–72.

<sup>42</sup> Conclusion to *Faust*, pt. 2, cited in Walter Benjamin, *Illuminations*, trans. Harry Zohn (New York: Schocken Books, 1969), 198. See David R. Burnett, “Paul Klee, From Symbolism to Symbol,” in *The Turn of the Century, German Literature and Art 1890–1915*, ed. Gerald Chappel and Hans H. Schulte (Bonn: Bouvier, 1981), 237–48. As others have noted, the symbolists must be understood through their relation to romanticism.

And, like Novalis, as others have equally attested, this means that Klee needs to be understood both in relation to the symbolist-romantic past and in relation to the modern constructivist account of formalism in linguistics and logic.

<sup>43</sup> Petzet, *Encounters and Dialogues*, 149.



insky or Moholy-Nagy) than the figuration of "onto" or cosmogenesis. Through it, Klee expresses (not without itself references to the legacy of *physis*) the emergence of "the fateful point between coming-into-being and passing away."<sup>44</sup> As Klee put it, "theory of form" (*Formlehre*), as it is often called, does not stress the principles and paths.<sup>45</sup> Instead, he chooses *Gestaltung* precisely to emphasize such principles as paths that underlie form as living expression.<sup>46</sup> Such form, however, is subject both to experiment and refiguration, composition and recomposition.

In accord with his experimentalism, Klee refigures both the concept of chaos and the cosmological figure of the picture plane by what he calls a "nonconcept"; both become schematized mathematically as a field of disequilibrium in terms of dynamics. Indeed the whole "field" of the picture plane became conceived as an interplay of dynamic forces, generated in the dynamics of line. The generation of the world out of chaos is "depicted," kinetically inscribed from point to line, line into plane and the plane into a spatial dimension. Thus, while Cézanne thought the essence of painting concerned the depiction of depth, for Klee it is all about dynamically (and hence temporally) articulated depth. That is, "all figuration is connected with movement."<sup>47</sup>

The issue, however, becomes once more complicated. We should not forget *Being and Time's* many references to Dasein's *Inderweltsein* as a dynamic field, references that in a sense make good on the *Sophist* lectures' caveat that the understanding of the mathematical continuum in modern field dynamics makes possible a retrieval of Aristotle.<sup>48</sup> Klee's "Creative Credo," which Heidegger knew (and emphasized), claims in its first line that "art does not reproduce the visible but renders it visible (*Kunst gibt nicht das Sichtbar, sondern macht sichtbar*)."<sup>49</sup> Yet it begins almost like the proof of a geometrical theorem, with "let us draw up a topographical plan":

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<sup>44</sup> Klee, N, 3.

<sup>45</sup> *Ibid.*, 17.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*, 24.

<sup>48</sup> Martin Heidegger, *Plato's Sophist*, trans. Richard Rojcewicz (Bloomington: Indiana University Press, 1997), 81. Cited hereafter as S.

<sup>49</sup> Klee, N, 76.



The first act of movement (line) takes us far beyond the dead point. After a short while we stop to get our breadth (interrupted line or, if we stop several times, an articulated line). And now a glance back to see how far we have come (counter-movement), we consider the road in this direction and in that (bundle of lines).<sup>50</sup>

For Klee, form and "exact experiment" become indispensable: "algebraic, geometrical, and mechanical problems are steps in our education toward the essential, towards the functional as opposed to the impressional."<sup>51</sup> Yet, as has become evident, this formalism surely takes us beyond mere formalism ("formalism is form without function") and remains devoid of the relation between "essence and appearance."<sup>52</sup> In this "first act," originating through the path or *Gestaltung* of a certain deformation, these visual explorations or penetrations (*Verinnerlichungen*) are linked by Klee to the figurative articulations of "beginning, middle, and end"—and one might say, accordingly, as Aristotle defined it in the *Poetics*, again linked to narrative (*mythos*).<sup>53</sup> As such, there remains once more a link to *physis*, that is, to the "analogies" of Being's occurrence and its coming-into-being and passing away. Beyond the statics of forms there is the task that explicates the inner articulation and development of the work, understood by Klee explicitly as a dialogue with the object. For this, "the imaginary is indispensable," and it is here that its figural expositions became linked by Klee explicitly to myth.<sup>54</sup> "Cosmogenetically" speaking, it (chaos) is a mythical primordial state of the world, from which the ordered cosmos develops, step by step, or suddenly, on its own at the hand of a creator.<sup>55</sup> As the exposition of this "first act" obviates, following Rilke (and Schelling before him), Klee seemingly understands such 'creation' as a venture of will, instead of Heidegger's Being "as the venture pure and simple." For Heidegger, this would place Klee metaphysically on the same plane as Leibniz, the great

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<sup>50</sup> Ibid.

<sup>51</sup> Ibid., 69. See Werner Schmalenbach, "Paul Klee und Geometrie," in exhibition catalogue, *Paul Klee (1879–1940)* (Dusseldorf, 1993).

<sup>52</sup> Klee, N, 60.

<sup>53</sup> Ibid., 17. See Aristotle *Poetics*, where *mythos* involves the organization of events and poetics the art of composing plots (47a2)—or, as Ricoeur puts it, a *propos* transcendental imagination, it "extracts a configuration from a succession." See *Time and Narrative*, vol. 1 (Chicago: Chicago University Press, 1984), 66.

<sup>54</sup> Klee, N, 59.

<sup>55</sup> Ibid., 9.



originator of modern metaphysics and logic and hence, artistic constructivism.<sup>56</sup> The metaphysics of the self accordingly became modeled, beginning with Descartes, but most explicitly in Fichte, as the mathematical point. Indeed, some of Klee's interpreters likewise have seen Schelling's transcendental idealism in Klee's account.<sup>57</sup> But then Klee's writings, like the "first act" of Absolute Idealism itself, as Heidegger pointed out in his *Schelling* book, would amount to an absolute knowledge "placed at the beginning of system in the sense of the mathematical system of reason."<sup>58</sup> But, as is the case with Rilke for Heidegger, none of this is so simple, any more than is Klee's mathematical grapheme. In one sense, Klee's mathematical figures are, if anything, deconstructive. Conceived mathematically or geometrically, by means of point, line and plane, the mathematical figure is equally conceived as a nonconcept that emerges within a dynamic field that escapes it. As has become evident, while Klee argued for the importance of construction he explicitly denied its completeness in aesthetic matters, a denial that precluded every bit as much the simple irrationalism of "*sancta ratio chaotica*."<sup>59</sup> If it is deconstructive, it is constructive nonetheless, a schematics of *dynamis*: "everything (the world) is of a dynamic nature; static problems make their appearance only at certain parts of the universe, in 'edifices' on the crust of the various cosmic bodies."<sup>60</sup> *Stasis* is always effect: *dynamis* pervasive, the horizontal, the earthly, the higher, a "yearning to free ourselves from earthly bonds."<sup>61</sup> Tossed between birth and death, we are impelled in such figurations by "the static imperative of our earthly being" albeit by "an imperative that crumbles in the direction of egg and death."<sup>62</sup> Klee's heights thus never simply free themselves from, let alone disambiguate, their earthly depths, matter and form. This is precisely the feature that Derrida found remarkable in Klee's art, pointing out that in certain paintings even frame and canvas become

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<sup>56</sup> Heidegger, PLT, 99–100.

<sup>57</sup> See Dirk Teuber, "Intuition und Genie: Aspekte des Transzendenten bei Paul Klee," *Paul Klee. Konstruktion-Intuition* (Stuttgart: Verlag Gerd Hatje, 1990), 39.

<sup>58</sup> Martin Heidegger, *Schelling's Treatise on the Essence of Human Freedom*, trans. Joan Stambaugh (Athens: Ohio University Press, 1985), 47.

<sup>59</sup> Klee, N, 70.

<sup>60</sup> *Ibid.*, 5.

<sup>61</sup> *Ibid.*, 67.

<sup>62</sup> *Ibid.*, 5.



indeterminate inseparable events, using the example of the 1927 "*Constructif-impressionant*" in which the nails that hold the canvas onto the stretcher are painted, as figure on a ground.<sup>63</sup>

Then what, again, about the figures of "the fourfold"? Or perhaps, even more directly, the inventive term *Dasein*, or its cares? The latter, as Heidegger explained, were generated out of an attempt "to Interpret the Augustinian (that is, Helleno-Christian) anthropology with regard to the foundational principles reached in the ontology of Aristotle."<sup>64</sup> As Gadamer questioned, in initially hearing of these figures of the fourfold, "Metaphors? Concepts? Were these expressions of thought or announcements of a neo-heathen mythology?"<sup>65</sup> These figures of ontological differentiation seem, to invoke Benjamin's characterization of German philosophy of art around 1800, (and "even to-day," he concluded) irresolubly divided between form and content, infinity and its articulemes, endless differentiation and Being's fulfillment.<sup>66</sup> As has been seen, Heidegger's mythemes seem themselves too big, too "gigantic"—let alone exclusive—to account for the experimental ironies of Klee's work. Except that Klee himself insisted that rather than in terms of a relation between subject and object the artist too must be understood "as a creature on the earth and a creature within the whole." As such, as supassing the opposition of subject and object, art involves an event surpassing optical foundations.

Perhaps most significantly, while Heidegger's closest interpreters have insisted that *Ereignis* must be viewed as the renderings of such a similar "schematism," Heidegger insisted they were to be grasped artistically through *poiesis* and apart from the calculative constructions of technology. Hence, as von Hermann has said, "The Origin of the Work of Art" must be understood through the *Beitrag*'s sophisticated critique of technology as calculative reduction. But Pöggeler has rightly questioned this in claiming that "technology and art belong together in our life, and art has to become the art of the age of technology. That such art could nevertheless remain "authentic" was shown to Heidegger by a painting like Klee's *Death and Fire*."<sup>67</sup> Still, we must

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<sup>63</sup> See Jacques Derrida, *The Truth in Painting*, trans. Geoff Bennington, Ian McLeod (Chicago: University of Chicago Press, 1987), 304.

<sup>64</sup> Heidegger, BT, 492n.

<sup>65</sup> Hans-Georg Gadamer, *Philosophical Apprenticeships*, trans. Robert R. Sullivan (Cambridge Mass, MIT Press: 1985), 51.

<sup>66</sup> Benjamin, "The Concept of Criticism in German Romanticism," 183.

<sup>67</sup> See for example, Pöggeler, "Heidegger on Art," 122.



wonder whether Heidegger would have agreed. If he could agree, his agreement could not occur without the substantial theoretical alteration that ultimately articulates the artistic and the technological beyond such oppositions.

If in its dynamics Klee's artistic (or written) work is deconstructive, in its formalism it remains constructive, a *rendering* of the invisible, always poised conceptually "towards a theory of form production."<sup>68</sup> Heidegger would have demured from such terms, but perhaps he needn't have, as Klee's refiguration of form as a path or *Gestaltung* indicates. What Klee gives us is something like the Heideggerian schematism in the age of technology. Hence we would need, and would need necessarily I am arguing, a part two of the essence of technology, beyond the oppositions of technique and *poiesis*. "Death and Fire" surely would have appealed to Heidegger; he was equally taken with Klee's works that articulated that fragile relation between men and machines. As Adorno saw, despite being a member of "the technologically minded Bauhaus," Paul Klee is the best example of how "emphatically modern art breaks out of the sphere of emotions and is transformed into the expression of what no significative language can achieve."<sup>69</sup> Klee (unlike Cézanne, for example) was not obsessed with the opposition between nature and culture or the simple realization—perhaps recollection—of thing and image that might, as Heidegger put it, overcome the "ontological difference" of thing and image, surface and depth.<sup>70</sup> Klee understood nature both with and beyond formalism, dynamically, as a conjunct of and not a disjunct between form and function, intuition and form, *dynamis* and *stasis*. Ironically, Klee found in the dynamic technically articulated in form, what Heidegger found in *physis*, denying thereby the classical view of painting as a spatial and not a temporal art.<sup>71</sup>

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<sup>68</sup> Klee, N, 1.

<sup>69</sup> Adorno, AT, 60.

<sup>70</sup> See Martin Heidegger, "Cézanne," "Thoughts: For René Char," trans. Keith Hoeller, *Philosophy Today* 20, no. 4 (1976): 289: "In the later work of the painter, the duality of what is present and presence become one, 'realized' (*realisiert*) and overcome at the same time, transformed into mysterious identity."

<sup>71</sup> Klee, N, 78.



As many have noticed (especially Adorno, who interpreted it as a theoretical paradigm of the aesthetic) in all this the work of art takes on a transcendence whose character is hieroglyphic for Klee.<sup>72</sup> Once more Klee retraces the path of post-Kantian philosophy. Novalis, altering Fichte's depiction of the self as the archimedian point that infinitely (namely, differentially), refracted the "circularity" of the Absolute, claimed that any characterization of the self, including "ego" itself, was a hieroglyphic matter.<sup>73</sup> This again is the sense in which Klee's work rejoins an account of judgment as differentiation (*Unterscheidung*). On such accounts all terms are mutually interrelated and limited in the interplay (*Wechsel*) of the ontic and the ontological.<sup>74</sup> Klee's own mathematized hieroglyphics, however, have lost their neoplatonist relation to the infinite circle of the absolute. Now they articulate only "fragmented transcendence," to use Adorno's terms—or, following Heidegger, a (hermeneutic) circle in which the self is revealed as a (finite) *aenigma*. Continuing the Augustinian trope, here the self's identity is less the articulation of of an immanence than its "expulsion." The result is then an experience and a figurative event (an *Ereignis*) that is less a unified "world projection" of being in its totality, the essence of perspectival construction, than, as Heidegger slowly came to more clearly see, a schema for the appropriation of

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<sup>72</sup> Adorno, AT, 124.

<sup>73</sup> See Novalis, *Schriften, Die Werke Friederich von Hardenbergs*, ed. Paul Kluckhohn and Richard Samuel, *Fichtestudien*, vol. 2 (Stuttgart: Kohlhammer Verlag, 1971), 107. "How can ego and non-ego be posited in opposition to one another. Ego has hieroglyphic power." See the analysis of this text in Geza von Molnar, *Romantic Vision, Ethical Context: Novalis and Artistic Autonomy* (Minneapolis: University of Minnesota Press, 1987), 36 and following. Novalis, following Fichte, elevates the transcendental imagination as the faculty that brings together these oppositions—and Schiller as articulating the synthesis as a matter of art (*Kunst*). See *Fichtestudien* 2:294. Likewise see Martin Dyck, *Novalis and Mathematics*, University of North Carolina Studies in the German Languages and Literature 27 (Chapel Hill, University of North Carolina Press, 1960).

<sup>74</sup> See the analysis of judgment as differentiation by Manfred Frank, *The Philosophical Foundations of Early German Romanticism*, trans. Elizabeth Millan-Zaibert (Albany: SUNY Press), 85 and following. While Frank rightly sees this as a move beyond Fichte, German Idealism, and foundationalism, he likewise analyzes it as a coherence (versus a correspondence) theory. We should perhaps, as does Heidegger, deny the opposition in order to understand historical coherence as a *Vorurteil* that does not simply determine the (*ekstatic*) *Wechsel* and hence, as a result, the potential "correspondence" that intentionally emerges internal to judgment itself.



what had always already withdrawn. But perhaps this insight was tacitly present throughout his work. The concluding chapter to Heidegger's *Habilitationschrift*, on medieval semantics began by citing Novalis: "We seek everywhere the unconditioned (*das Unbedingte*) and only ever find conditioned things (*Dinge*)."<sup>75</sup> As interpreters like Manfred Frank have affirmed here, thinkers like Heidegger and Derrida here form a direct link to Novalis, (and subsequently, Schlegel's) break with post-Kantian idealism.<sup>76</sup>

Some of Klee's closest interpreters, accordingly, have described his "Heidegger-like" view of the artist as "thrown into the world."<sup>77</sup> It must also be acknowledged that Klee's figures, such as that of the earth, and Heidegger's are not the same. A different history, different tasks, and different articulations surely intervene. Agreed, again—but perhaps it is the very form of the earth that is in question and perhaps too the (theoretical) status of its invocations of reliability.<sup>78</sup> Or, you might say *Aletheia*.

To many (again, Adorno included) all this sounds anachronistic. Primitivism is often enough the charge leveled against it. And yet, Heidegger declared, "poetic projection comes from nothing in this respect, that it never takes its gift from the ordinary and the traditional."<sup>79</sup> We should tread carefully. He had denied primitivism from the outset.<sup>80</sup> Like *kosmos* itself, Heidegger did claim that he got his concept of *aletheia* from reading the Greeks. Yet he also admitted that his own reading of *aletheia* is not explicit in the Greek, that, as Maurice Blanchot put it, it "does not yet belong to the Greek language."<sup>81</sup> Like his account of *Ge-stell*, which, Heidegger claims, forms

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<sup>75</sup> Martin Heidegger, "The Theory of Categories and Meaning in Duns Scotus," trans. Roderick M. Stuart and John van Buren, in *Martin Heidegger, Supplements: From the Earliest Essays to Being and Time and Beyond*, ed. John van Buren (Albany: SUNY Press, 2002), 62.

<sup>76</sup> See Manfred Frank, *The Philosophical Foundations of German Romanticism*, 53.

<sup>77</sup> Carolyn Lanchner, "Klee in America," in *Paul Klee: His Life and Work* (Ostfildern-Ruit: Hatje Cantz, 2001), 84.

<sup>78</sup> See Heidegger's discussion of reliability in "The Origin of the Work of Art," PLT, beginning at 34.

<sup>79</sup> Heidegger, PLT, 73.

<sup>80</sup> Heidegger, BT, 76.

<sup>81</sup> Heidegger, PLT, 49.



"the essence of modern technology"—or the account of *Eidos* as "outward aspect (*Ansicht*)," which, he argues, Plato transforms—such terms are not simple descriptions devoid of theoretical interpretation.<sup>82</sup> As Blanchot saw, like Hegel's *Aufheben*, *aletheia* is argumentatively invented or created, a textual (inferential) construction, polysemically both constructive and ironical in its attempt to exhibit things otherwise.<sup>83</sup> Such terms approach again something like the schematism of so-called deconstructive *differance*, as much quantitative as qualitative; both mathematical and dynamic, to speak Kantian.<sup>84</sup> As oblique as this might seem, what it means in Heideggerean terms is that *aletheia* is a formal indicator (*die formale Anzeige*) whose implications must be no less formal than they are indicative: both are at stake in the articulation or "in-forming (*Ein-bildung*) of the full phenomenon" of truth.<sup>85</sup> The resulting imaginative or inventive exhibitions would involve as much a complicated (syntactic) construct as a simple (semantic) interpretation.

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<sup>82</sup> Heidegger, QCT, 20.

<sup>83</sup> See Maurice Blanchot, *The Writing of the Disaster*, trans. Ann Smock (Lincoln: University of Nebraska Press, 1995), 195: ". . . both Hegel and Heidegger, the one with the help of a hypothetical (a probable) etymology, the other by a verbal analysis, created these words, philosophically or poetically . . ."

<sup>84</sup> There isn't space to justify this claim fully here. To start, one could point to Derrida and Deleuze's early treatments of these issues in Nietzsche. Still, the interplay between quality and quantity, the boundaries of the immanent and the transcendent (the ontic and the ontological) was at issue from the outset in post-Kantian thought concerning the dialectic, perhaps especially in the writings of Fichte and Schlegel (and thereby the romantic's emphasis on irony). An important account of this conceptual development remains Lukacs'. For the issue here this is especially true of his analysis of the postkantian's recourse to the mathematical infinite for, to use Fichte's terms, a "backwards or forward," model for overcoming dogmatism. See Georg Lukacs, *History and Class Consciousness*, trans. Rodney Livingstone (Cambridge: MIT Press, 2002), 215. Also see Johann Gottlieb Fichte, *The Science of Knowledge*, trans. Peter Heath and John Lachs (Cambridge: Cambridge University Press, 1982), 128–9. Such recourse perdures beyond classical German thought. Arguably, this same problem remains at stake, for example, in Husserl's move from static to "genetic" phenomenology or in Heidegger's account of the hermeneutic circle. For the latter see my "Our 'Reciprocal Rejoinder' with the Past: On Heidegger's *Erwiderung*," *Tradition(s) Refiguring Community and Virtue in Classical Germany Thought* (Bloomington: Indiana University Press, 1997), Introduction.

<sup>85</sup> Heidegger, PIA, 27.



We might, therefore, agree with Blanchot about the romanticism of Heidegger's etymological returns (and transformations), but equally insist on how all this points beyond romanticism—and romantic injunctions against the technological. All of this remains far removed from Heidegger's occasional jibes against technology; perhaps Heidegger's *alethic poiesis* is technological (and ironical) despite itself, almost as if in the complexity of these transformations Heidegger has a sense (or a glimpse) of what lies beyond the reductive occlusions of technological "enframing." This is perhaps what he senses in Klee, a *physis* that comes to presence technologically, that is without occlusion, in a way that truly "restores it into its yet concealed truth."<sup>86</sup> Here, too, we would be beyond what Heidegger himself described as the simple oppositions that would view technology as all bad or a matter of fate, decline or loss.<sup>87</sup>

On the other hand, the latter might provide something of a clue. We might still wonder whether, like Cézanne, Heidegger remained stuck in the opposition between nature and technology, whether Heidegger and Cézanne did indeed share a common path. While Heidegger could understand himself in Cézanne, perhaps we should take him at his word. Something might be at hand in Klee that he could not fully grasp (or at least articulate), a construction that does not nostalgically hope to overcome technology. Instead, such a construction would remain in touch with what Heidegger meant by the earth, the saving power that perdures through its dangers. This would involve not the overcoming of ontological difference in a aesthetic realization of surface and depth but in a "non-image" modeled after a nonconcept (namely, the mathematical), that is the effective (chaotic) dispersal or figurative "penetration" and rendering visible of depth or transcendence.<sup>88</sup> To "reckon" with it, we must rely upon the experimental, as Klee put it in relation to construction, where the imaginary becomes again essential. This becomes not simply a moment for giving thanks in the holy, even when thinking becomes a kind of recollection or thanking (*Denken, Danken*), but equally a matter of "venturing" in the loss or withdrawal of its immanence.<sup>89</sup>

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<sup>86</sup> Heidegger, QCT, 39.

<sup>87</sup> Ibid., 48.

<sup>88</sup> Ibid., 43.

<sup>89</sup> See WCT, 138.



If Heidegger could agree with Rilke that at stake is “an existence beyond number,” it doesn’t follow that existence could be found without number or, in any case, only as simply opposed to it. Klee may well have said here just what he said of Rilke, that in continuing to cling to such oppositions Heidegger was simply “behind the time.” That is, if Heidegger is not an impressionist, as Klee accused Rilke, perhaps Heidegger may be still an Aristotelian or Brentanist (and metaphysical): instead of articulating the “differential” event in which they emerge, Heidegger still retains remnants of the opposition between primary and secondary properties.<sup>90</sup> Heidegger still claims that number is oppositional or, at least, always incidental (accidental) to the essence of things. Rilke, Klee suggests, had “paid less attention to the graphic work, where I advanced the furthest.”<sup>91</sup> He had missed, that is, the *dynamis* of Klee’s graphic line. In that case, what Klee’s argument reveals is less that Heidegger’s overriding intuitions about things were wrong, than that they were as abstract as the abstract art he condemned to simple *techne*. It is Heidegger, after all, who said in “The Origin of the Work of Art” that the opposition between the structure of things and the structure of sentences is “undecidable.”<sup>92</sup> But at times Heidegger staunchly clung to this opposition and, often enough, saw in the formalisms of modern art (or any other formalisms for that matter) only “metaphysics.” In such metaphysical condemnations, Heidegger (like Carnap to whom by a kind of antinomy he remains ironically very close) misunderstood the venture of experimentalism, both in science and art.

Now what I have claimed is that Heidegger could have found in Klee what he had found in *poiesis* and *physis*. I have not claimed that one *had* to proceed mathematically to derive this, as Klee did, but only that you could do so and that Heidegger missed it. If calculative reductionism is a danger that accompanies technological thinking, it is not simply *entailed* by technological thinking. In recognizing this Klee was onto something that “none of us yet grasps,” precisely maintaining the tension that could speak of Heidegger’s figural *Geviert* technologically.

Again, the contrast with romanticism is enlightening. Having explicitly abandoned a philosophy of first principles, Schlegel sought a

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<sup>90</sup> Paul Klee, *The Diaries of Paul Klee*, trans. P. Schneider, R. R. Zachary, and M. Knight (Berkeley: University of California Press, 1964), 317.

<sup>91</sup> *Ibid.*

<sup>92</sup> Heidegger, *PLT*, 4.



relation to the Infinite that would proceed ironically through a series of alternating propositions, a *Wechselkonstruktion*. Klee's formal constructions might reveal this "infinite" *Wechsel* (and its withdrawal) on its sleeve. By no means a deduction, or *principia aesthetica*, to speak Wittgensteinian, they show what can't be "said," the extent to which the use of calculation involves not only a form but an experiment regarding what exceeds us.<sup>93</sup> Precisely in this regard, science and being, thinking and calculability, cannot simply be opposed.

Ironically, Heidegger himself did not always hold to these oppositions. Indeed, up until *Being and Time*, Heidegger viewed himself as more closely integrating philosophy and science, as Pöggeler has noted.<sup>94</sup> Heidegger in *Being and Time* thought that he and Einstein were on the same turf: equally, the 1925 lecture course, *The History of the Concept of Time*, aligned itself with the crisis in the foundations of mathematics in Weyl and Brouwer, who, he declared, "were influenced by phenomenology."<sup>95</sup> The 1924–25 *Sophist* lectures praise Weyl's use of mathematics in physics in overcoming the Newtonian account in claiming that "the notion of field is normative." Indeed, he had hopes that such field theory would make possible a more "radical appreciation" of Aristotle's account of motion.<sup>96</sup> Would it? Would it thereby suggest a new 'appreciation' for Heidegger's own radical interpretation of Aristotle? The answer must be that we do not have any final evidence of this, though the aforementioned use of *Feld* in *Being and Time* to characterize the dynamics of Dasein's inner-world or environmental involvements might be construed to indicate that such was the case early on.<sup>97</sup>

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<sup>93</sup> Compare Wittgenstein's *Tractatus* 4.1212: "What can be shown cannot be said;" 6.2331: "Calculation is not an experiment." While calculation is not an experiment (calculation has a different outcome, as he puts it elsewhere), 'calculating,' that is, its 'use,' can be. See Ludwig Wittgenstein, *Tractatus Logico-Philosophicus* (London: Routledge & Kegan Paul, 1960), 79, 171.

<sup>94</sup> See Pöggeler, "Heidegger on Art," 113.

<sup>95</sup> Martin Heidegger, *History of the Concept of Time*, trans. Theodore Kisiel (Bloomington: Indiana University Press, 1985), 3.

<sup>96</sup> Heidegger, S, 81.

<sup>97</sup> *Being and Time* itself uses *Feld* in a number of senses. For example, describing its own project, the *Daseinanalytik* begins by saying that we can claim to provide answers to the question "What is Being?" "only if the question of Being has been reawakened and we have arrived at a field where we can come to terms with it in a way that can be controlled." See Heidegger, BT, 49. At the same time, however, the *Umwelt's existentialia* of ready-to-hand and present-to-hand is characterized as a "field" that we encounter. Ibid., 305.



The *Sophist* lectures' explication of Aristotle's *Physics*, distinguishing it from the modern conception of number, claimed that the continuum is not "resolvable analytically." It remains dependent, as *Being and Time* would also relate, upon a synthesis "prior to the question of analytic penetration" or more perhaps more fundamental than it.<sup>98</sup> Once again *stasis* is dependent upon *dynamis*, or, in phenomenological terms, static analysis is dependent upon genetic synthesis. As Merleau-Ponty later similarly claimed, it is not simply the point, but "the point-horizon structure (that) is the foundation of space."<sup>99</sup> With respect to Klee's paradigm—and perhaps it is precisely what Klee meant by its 'deformation'—Heidegger declared: "[o]ne cannot put a line together out of points." Distinguishing the ontological continuum from the mathematical, Heidegger stated that in each case "there is something in between, something that cannot itself be constituted out of the preceding elements."<sup>100</sup> The linear "manifold" is dependent upon the synthesis, or "gathering," of place. "Hence the 'fold' is the mode of connection of the manifold."<sup>101</sup> This gathering, this synthesis, lies at the heart of the *Dasein* analytic and what makes it possible for him to claim that the latter, as the "full existential conception of science" would underlie the requisites of "the mathematical projection of nature."<sup>102</sup>

While further implications of what Heidegger called his own "radical appreciation" of Aristotle for contemporary physics must remain oblique, we can see him working through the other domain to which Klee appeals (namely, organic function) in his analysis of contemporary biology in the 1929–30 lectures. He was fully aware of the technological complications of modern science, complications sufficient to prevent us from breaking "through, in the serious and above all en-

<sup>98</sup> Heidegger, S, 81; cf. BT, 201 and following.

<sup>99</sup> Merleau-Ponty, PoP, 102. For Merleau-Ponty this entailed that the synthesis involved must be corporeal: "But the point-horizon structure can teach us what a point is only in virtue of the maintenance of a hither zone of corporeality from which to be seen, and round about it indeterminate horizons which are the counter part of this spectacle." Ibid., 102. Heidegger, following Nietzsche, would agree in understanding life as the "bodying forth" and "schematizing" of chaos. See Martin Heidegger, *Nietzsche*, vol. 3, trans. Joan Stambaugh, David Farrell Krell, and Frank A. Capuzzi (San Francisco, Harper & Row, 1987), 78–83. Cited hereafter as N 3.

<sup>100</sup> Heidegger, S, 76.

<sup>101</sup> Ibid.

<sup>102</sup> Heidegger, BT, 414.



during manner that is required," what had come to be called a "crisis in the foundations of the sciences."<sup>103</sup> This is a crisis that even *Being and Time* still hoped to overcome.<sup>104</sup> Yet in the 1929–30 lectures, Heidegger argued against any strict opposition between science and philosophy that would view science as simply delivering the facts and philosophy their fundamental concepts.

We cannot separate metaphysics and positive research, playing them off against one another in this manner. They are not two consecutive phases of a production process. The relation between them cannot be established in a rationalized, technical sort of way, as if science and metaphysics simply represented two branches of a single industrial concern, the former supplying the facts and the latter providing the fundamental concepts.<sup>105</sup>

Aware that science is much too occupied with the realm of "practical or technical serviceability," Heidegger nonetheless called for a more cooperative or "communal exchange" between philosophy and science that acknowledges their historicity. Significantly, Heidegger also rails against "the prevailing groundlessness of thought and understanding today when we are asked to regard the house as a machine for living and the chair as a machine for sitting."<sup>106</sup> As close as such views were to Klee and his Bauhaus colleagues, however, we should perhaps not forget Klee's similar call for a "dialogue" between subject and object, or "I and thou," albeit again perhaps with different connotations. Arguably, the formalism of his *Notebooks* represents such a dialogue. In the present case, however, Heidegger states that such an exchange between philosophy and the sciences entails that philosophy is not simply a "hypersophistical, universal" founding discipline simply opposed to the "sciences of fact."<sup>107</sup> Instead, thinking is historically generated in this exchange, the cooperation or co-responding itself, notwithstanding or perhaps overcoming the danger of technological reductionism.

What becomes in such exchanges of the almost mythic status of all these terms, like "the truth of the whole" of the earth and sky,

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<sup>103</sup> Heidegger, FCM, 191.

<sup>104</sup> Heidegger, BT, 29.

<sup>105</sup> Heidegger, FCM, 189.

<sup>106</sup> *Ibid.*, 216.

<sup>107</sup> *Ibid.*, 189–91.



mortals and divinities (to which Klee too appealed, if not in simple accord)? What are we to make of this lingering *homiosis* or correspondence (*analogia*) at stake in such myth, which, as even later his 1942–43 *Parmenides* lectures still stated emerges in “the original relation between the word and the essence of being?”<sup>108</sup> Klee’s use of myth remains perhaps more explicitly deconstructive. But in what sense? And what does this have to do with the “abstraction,” or “construction,” of his graphic line?

Return to Klee’s “Creative Credo” and its topographical landscape, mentioned earlier, and its articulation of an “expression, dynamics and psyché of the line.” He continues:

We cross an unplowed field (area traversed by lines), then a dense wood. He gets lost, searches, and once even describes the classical movement of a running dog. I am no longer quite calm either: another river with fog (spatial element) over it. But soon the fog lifts. Some basket-weavers are returning home with their carts (the wheel). Accompanied by a child with the merriest curls (spiral movement). Later it grows dark and sultry (spatial element). A flash of lightning on the horizon (zigzag line). Over us there are still stars (fields of points). Soon we come to our original lodging. Before we fall asleep, a number of memories come back to us, for a short trip of this kind leaves us full of impressions.

All sorts of lines. Spots. Dots. Smooth surfaces. Dotted surfaces, shaded surfaces. Wavy movement. Constricted, articulated movement. Counter-movement. Network and weaving. Brick work, fish-scales. Solo. Chorus. A line losing itself, a line growing stronger (dynamics).<sup>109</sup>

Klee describes here the formal indication or figuration of “pictorial space”—or, more precisely, space/time. And, in so “describing” it, he exhibits or depicts the formal graphematics of the text, the very dynamics or implicative “texture” out of which, as Blanchot put it, *aletheia* must emerge. Such figuration occurs less as a return to origins than as a field of fragmentation or ruinance born through a series of inventive, figurative transformations or recompositions.<sup>110</sup> As such, it does not simply involve a matter of remembrance of a being that escapes the ontic, but depends upon the inventive and experimental field of the imaginary. Indeed, Klee’s description has inescap-

<sup>108</sup> Martin Heidegger, *Parmenides*, trans. Andre Schuwer and Richard Rojcewicz (Bloomington: Indiana University Press, 1992), 114.

<sup>109</sup> Klee, N, 76–7.

<sup>110</sup> On the notion of “ruinance” see Heidegger, PIA, ch. 2.



able surrealist overtones.<sup>111</sup> Heidegger himself realized that even memory, properly understood could not be confined to “the power to recall the past” but also involved “what is present and what is to come.”<sup>112</sup> What Klee’s geometrical figures reminds us about is the inherent (syntactic) connectedness of this “field dynamics” of (conceptual and intuitional) “inferential penetration.”<sup>113</sup>

In this there is much beyond mythic returns and beyond the simple critique of reason and technology. Form, even geometrical form, to use a phrase of Merleau-Ponty’s can no longer simply be construed as the “freezing of being, which appeared to be the task of physics.” It is equally part of Being’s exploration and venture, never independent of productive imagination or *poiesis*.<sup>114</sup> We can still say that wherever the beautiful occurs it does so as the *ekphanestaton* of *poiesis*; thus “the poetical thoroughly pervades every art, every revealing of coming to presence into the beautiful.”<sup>115</sup> Accordingly, keeping in mind “the Greek sense of thesis—to let lie forth in its radiance and presence—then the ‘fix’ in ‘fix in place’ can never have the sense of rigid, motionless, and secure.”<sup>116</sup> Klee, as has become evident, was surely in accord. Such *poiesis* is not disconnected from the question of its rendering, the question of how we are to “make” it visible (*sichbar machen*).<sup>117</sup>

As has become evident, this making visible, this “rendering,” involves an event and a signification with multiple overtones, artistic, interpretative, even accountability (as in “to render an account”). Despite its polysemy, Heidegger himself had difficulties with the term “rendering,” connecting it most directly (a kind of *pros hen*) to

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<sup>111</sup> See my “Of Sartre, Klee, Surrealism and Philosophy, Towards A Non-Prosaic Conception of Consciousness,” in *Issues in Interpretation Theory*, ed. Pol Vandavelde (Milwaukee: Marquette University Press, forthcoming).

<sup>112</sup> See Heidegger’s description of thinking as “thane” in WCT, 140.

<sup>113</sup> Klee, N, 66.

<sup>114</sup> Merleau-Ponty, PoP, 54, 383 and following. Without denying the truth of formalism, formalism, that is, would not constitute the whole (or the “essence”) of mathematics, any more than it would *poiesis*.

<sup>115</sup> Heidegger, QCT, 34.

<sup>116</sup> Heidegger, PLT, 82.

<sup>117</sup> Indeed Merleau-Ponty invokes this term in “rendering” Klee’s “Creative credo” into French in his *L’œil et l’esprit* (Paris: Gallimard, 1964), 74. For further discussion of Merleau-Ponty’s interpretation see my “On the Withdrawal of the Beautiful: Adorno and Merleau-Ponty’s Readings of Paul Klee,” *Chiasmi International* (2003): 5.



accountability and (through his reading of Leibniz) to *ratio*, Reason, strict determinability and, ultimately, objectivity (*Gegenstandlichkeit*). Hence emerges his claim that art in the age of reason, an age which is inherently the objectification of Being, must be objectless (*Gegestandlose*).<sup>118</sup> It is striking that this account of scientific objectivity is precisely what unites the positions of Heidegger and Carnap, described by the former as “the most extreme counter-positions” of the age, standing in the shadow of neo-Kantianism.<sup>119</sup> They share in common—to use Merleau-Ponty’s term—the concept of science as the ontology of “the Great Object.”<sup>120</sup> Like all such binary oppositions their ‘extremes’ share more in common than each would like to admit—and both were prone to misunderstand the venture, the *experiri* of experimentalism.<sup>121</sup> Even though Heidegger would claim that such “objectless art” in the age of technology has both “an historical appropriateness” and a “legitimate function,” it was also true that in Klee he found a work, a rendering, and a truth that would not fit its constraints, an art in whose rendering “a different sort of standing (*Ständigkeit*) emerges in what is objectless.”<sup>122</sup> Precisely, the result is neither an object (*Gegen-stand*) nor even, as he once thought, a duplicated or projected image (*Eidos* as *Blick*), but a coming into presence, “*Zustand*.”<sup>123</sup> Indeed, the result was, like Heidegger’s Greek temple, a producing and presenting (*Her und Dar-stellung*)

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<sup>118</sup> Martin Heidegger, *The Principle of Reason*, trans. Reginald Lilly (Bloomington: Indiana University Press, 1991), 22, 118, 34. Cited hereafter as PR.

<sup>119</sup> See Martin Heidegger, *The Piety of Thinking*, trans. James G. Hart, John C. Maraldo (Bloomington: Indiana University Press, 1976), 24.

<sup>120</sup> Maurice Merleau-Ponty, *The Visible and the Invisible*, trans. Alphonso Lingis (Evanston: Northwestern University Press, 1968), 15.

<sup>121</sup> See Heidegger, B, 111 and following. While Heidegger’s history of the concept of experiment is always richly layered, it is, as is too often the case in his conceptual histories, a matter of decline, without sufficiently identifying either the shortcomings inherent in previous theoretical history that provoked conceptual transformations or the venture that took place by their means. In any case, the rise of experimentalism was surely such a fragmented venture, undertaken, as Bacon put it, out of “argument of hope.” For further discussion of this issue, see my “On the Rationality of the Fragment,” in *Extensions: Essays on Interpretation, Rationality, and the Closure of Modernism* (Albany: SUNY Press, 1992), ch. 10.

<sup>122</sup> Heidegger, PR, 20, 33–4.

<sup>123</sup> Pöggeler, *Bild und Technik*, 156.



which, in the sense of *poiesis*, “lets what presences come forth into unconcealment.” This could all still be connected to classical accounts of the Beautiful. Yet Klee ironically saw that the artistic event could (if perhaps not must) be both conceptually and pictorially rendered and explored with the assistance of technical means: here at stake was an “intuition” that was both a matter of intuitive inference and one “helped by finer instruments.”<sup>124</sup> Moreover, this “irony” could be reduced neither simply to a negative dialectic nor to the polysemic plurality of Being’s different manifestations. Equally ventured, is the fragmentation they share, the venture of form or rendition.

Against Heidegger’s attempts for a new beginning undertaken in relation to Greek origins and, thereby, a beauty that perdures prior to the levelings of (modern) objective reduction, Klee perhaps bore witness to a different kind of *poiesis*, a different relation to tradition, and a different kind of experiment. He was not alone. If the essence of technology ever were the Enframing of *Ge-stell*, if being had been reduced to “standing-reserve” and manipulable objectivity, and if such characterizations might ring true for Hobbes or Newton, Hegel or Carnap, this was not simply true in itself, as Heidegger’s favorable lectures on the biology of Dreisch or Uexkull might again signal.<sup>125</sup> The question concerning technology would now be more complicated, in both art and science. As has become evident, Heidegger’s “returns” would need to be read not only as responding to the limitations of a certain understanding of historical objectivity but also as experimenting with the concept of form in responding to neo-Kantianism. Indeed, this becomes especially evident in his own turn back to Kant.

It is worth recalling that at one point (in the late 20s) Heidegger understood the phenomenological method not simply as a matter of reduction, nor “destruction” (*Abbau*) (undoing the conceptual failures of the past), but both as part of “phenomenological construction (*Konstruktion*)” (BP, 21–3). Husserl too had used the terms *Aufbau* and *Abbau* at the time—as had others, such as Carnap, in his *Aufbau*,

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<sup>124</sup> Klee, N, 66.

<sup>125</sup> More generally, such claims were probably not true for the likes of humanists and experimentalists such as Montaigne or Erasmus, Bacon or Boyle, Shaftesbury or Schlegel. For further discussion of this issue see my *Tradition(s) II Hermeneutics, Ethics, and the Dispensation of the Good* (Bloomington: Indiana University Press, 2001), beginning at 234.



who also understood the latter as a *Konstitutionsystem*.<sup>126</sup> As important as Husserl's account of categorical intuition remained for Heidegger, however, from now on phenomenology for him would involve less pure description than an "exhibition" in the Kantian sense. It was precisely in this sense that he would interpret the Kantian account of categorization and schematism, the interpretive or "exploratory" event in which appearances became differentiated, a "sketching out" [*Aufzeichnung*] through which they were revealed as instances of pure possibility.<sup>127</sup>

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<sup>126</sup> See R. Carnap, *The Logical Structure of the World* (a translation of *Der logische Aufbau der Welt* [Berlin: Weltkries-Verlag, 1928]), in *The Logical Structure of the World and Pseudoproblems in Philosophy* (Berkeley: University of California Press, 1969). Heidegger's famous description of "Carnap-Heidegger" as the "most extreme counterpositions" in contemporary thought is thus overdetermined: more than either were prone to admit they shared a theoretical context in common. See Heidegger, PT, 24. It can be noted that, in addition to characterizing phenomenology as *Konstruktion*, (necessarily related to the *Destruktion* or *Abbau* of the history of philosophy), as late as the Nietzsche lectures Heidegger could still understand thought as constructive in the sense of *bauende*, in the sense of thinking that "fashions what does not yet stand," as "the poetizing nature of positing a horizon within a perspective." See N 3:143–4. These remarks should be linked to Heidegger's later account in "Building Dwelling Thinking." See PLT, 143–159. Finally, it can be noted that at various points *Being and Time*'s account is involved in ontological or phenomenological or existential *Konstruktion* and as linked to the problem of "sketching out." See for example BT, 242, 349, 428. As will become apparent Heidegger himself links such sketching out to the problem of schematization. Here too then we find the connection between sketching out and linguistic or textual "articulation" that Klee's text had combined in the performative that opens the "Creative Credo."

<sup>127</sup> Martin Heidegger, *Kant and the Problem of Metaphysics*, trans. Richard Taft (Bloomington: Indiana University Press, 1990), 64–5. Cited hereafter as KPM. On Heidegger's characterization of Kant's pure synthesis as "exploratory," see KPM, 127. The model of drawing or sketching (*zeichnen*) for the schematism has certain Kantian precedents. See Immanuel Kant, *Critique of Pure Reason*, 171 (B162): "When, for instance, by apprehension of the manifold of a house I make the empirical intuition of it into a perception, the *necessary unity* of space and our outer sensible intuition in general lies at the basis of my apprehension, and I draw as it were the outline of the house in conformity with this synthetic unity of the manifold in space." Moreover, if there is continuity between Heidegger and Kant in thus apprehending the exploratory character of the schematism, in apprehending it as emerging from the rationally motivated adumbration of phenomena Heidegger still remains in proximity to Husserl, who had similarly understood phenomenological perceptual schemata at the time—albeit now no longer simply as an empirical experience.



Moreover, as much as he had demurred from the issue of objective validity in Kant, the *quaestio juris*, he could still claim that “[t]hrough the analytical elucidation of the categories as the essentially more necessary building blocks, or rather hinges (*Fugen*) of transcendence, their ‘objective reality’ is demonstrated.”<sup>128</sup> In this regard we must challenge the standard interpretation that divides early and late Heidegger. This account was still in place in *The Origin of the Work of Art* and its account of the rift through which truth becomes established in the event of the fourfold, “the drawing together, into a unity, of sketch and basic design, breach and outline.”<sup>129</sup> Heidegger’s own account of *Gestaltung*, in which the figure is the result of Being’s having been “set up” in the work would occur here; such figuration articulates the truth of Being in joining-together earth and world out of unconcealment.<sup>130</sup> This in turn is what become questionable when the work of art is conceived only “in terms of the power of the imagination” and its products are conceived as simply whimsically informed images (or matter) and ultimately understood as “unreal.”<sup>131</sup>

We can also see in this sketching-out of categorical or hermeneutic “intuition” (a term he used early on) the “fugal” structure that would compose pathways or joinings and outlines of the late thirties’ *Contributions to Philosophy*, a work which many would see as the *Being and Time* of the later works. Already in 1935 he saw in such inventions and calculation a *blick in chaos*, bringing him closer and closer to Nietzsche (and Klee), where such “schematization . . . not only fixes chaos in certain respects and thus secures the possible, it also lets chaos appear as chaos through its transparent stability.”<sup>132</sup> The result throughout involved an objectivity that acknowledged its perspectival or aspectival status: an “objectivity” if you will that was inevitably schema-specific.<sup>133</sup> While Heidegger realized that such schematization involved both invention and construction, however, the exploratory virtue of such inventive construction became

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<sup>128</sup> Heidegger, KPM, 58.

<sup>129</sup> Heidegger, PLT, 61.

<sup>130</sup> *Ibid.*, 62.

<sup>131</sup> *Ibid.*, 70.

<sup>132</sup> See Heidegger, N, 88.

<sup>133</sup> See my “Heidegger, Rationality, and the Critique of Judgment,” *Review of Metaphysics* 41 (1988): 461–99.



increasingly (if not simply) occluded in the massive critique of technological thinking that would characterize his later writings.<sup>134</sup>

If Klee's writings were too neo-Kantian or overly committed to form, therefore, requiring the supplement of the *Seinsfrage* or a *Daseinanalytik*, we would be remiss to forget the extent to which both the articulation of the *Seinsfrage* and the *Daseinanalytik* involved a construction, one whose articulations remained themselves much indebted to the polemics of neo-Kantianism of a Lask or Natorp, or perhaps even the account of scientific experiment to 'positivisms' like Carnap's. Still, if it were a construction, it proceeded always at the same time, as a preliminary sketching-out (*Aufzeichnung*) of Being that perdures through Heidegger's writings, one that reveals his complicated relation both to constructivism and the reductive excesses of technological paradigms.<sup>135</sup>

It might appear that we are left with the final question: would Heidegger see in Klee's work (both artistic and theoretical) the means for a philosophy and an art that, in the end, provide only a clue by being overwhelmed by the dangers and oppositions of technology? "The Question Concerning Technology" asserted that we will surmount the technological, in the same way that, as he claimed (somewhat unconvincingly) that one gets over the wounds of grief or pain.<sup>136</sup> Both

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<sup>134</sup> Here, too, Heidegger seemingly followed in the wake of German Idealism and its elevation of transcendental imagination. Fichte had at one point articulated the intentionality of the transcendental ego itself through the figure of a linedrawing (*ein Linienziehen*). "Intuition in 'seeing' (*Shauen*), projects something outward, something like—if one wants an analogy—the way in which the painter projects the completed shape out of his eye onto the surface and 'looks towards,' so to speak, before the hand (which is slower) can copy the outline of the shape. Furthermore—the I that intuits itself as active intuits its activity as an act of drawing a line . . ." See *Foundation of Natural Right*, trans. Michael Bauer (Cambridge: Cambridge University Press, 2000), 55. The difference, as Heidegger put it at one point, is that his own "interpretation of the power of imagination . . . moves, so to speak, in the opposite direction from that of German Idealism." See Heidegger, KPM, 95n. Rather than beginning with a primal act and an objective correlate, it begins from the articulation of Being's transcendence.

<sup>135</sup> As hinted at above in relation to the problem of *Konstruktion*, the term *Aufzeichnung* occurs a number of times in *Being and Time* and in a variety of contexts, including again (as was the case in the *Kantbuch*) the issue of categorization and determinability. For example: "The idea of existence which we have posited gives us a sketch (*Aufzeichnung*) of the formal structure of the understanding of Dasein . . ." Heidegger, BT, 361.

<sup>136</sup> Heidegger, QCT, 39.



claims (that technology involves a conflict that will simply be surmounted and that it must be undergone like pain to be surmounted) still seem overwhelmed by the mythemes of tragedy—and in this regard to have succumbed to their failures. In the end, Petzet reports, Heidegger thought Klee's work too neo-Kantian, too committed to questions of form and too cosmological. If he could sense in all this something he knew very well, it was because here too, in Klee's "*constructif-impressionnant*" venture (and experiment) he continually saw—without fully seeing—something of himself. After all, it was Heidegger who saw that "[m]odern physics is not experimental physics because it applies apparatus to the question of nature. Rather the reverse is true."<sup>137</sup> Once we demur from the claim that pure theory only "sets nature up to exhibit itself as calculable in advance," the experimental renderings of art and philosophy, science and mathematics can be grasped otherwise—doubtless in ways Heidegger's own preliminary "sketches" exemplify.

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<sup>137</sup> Ibid., 21.



## HUMAN REASON AND A COMMON WORLD: WHY WITTGENSTEIN AND RAWLS ARE BOTH WRONG

MORTON A. KAPLAN

**S**CIENCE AND TECHNOLOGY preceded the great period of Greek philosophy. However, in a unique development in intellectual history, Socrates, Plato, and Aristotle sought a reasoned understanding of the world—that is, a mutually understandable account of the world, of things in it, and of relationships among them—based upon synoptic understanding of the science of their age. Key elements of the accounts of the three philosophers depended upon identity, a universalistic relationship between concepts and at least some elements of the world.

Early modernity embraced universalism to a much greater degree than did the Greek paradigm. In the nineteenth century, universalism was called into serious question by anthropological research. For instance, Lewis Morgan, who studied the language uses of Indian tribes, discovered that a mother in a particular tribe was any female in a particular age cohort with respect to any child in a particular age cohort without respect to direct biological descent. He explored the differences in family systems and the factors that supported these differences.

In the twentieth century the concept of common understanding came under strong philosophical attack. Stephen Pepper argued that it was not possible to choose from among competing philosophical positions because the danda, that is, the interpretive framework, determined the data. Thomas Kuhn applied a similar argument to competing scientific theories. Ludwig Wittgenstein used the analysis of language games in a way that at least appeared to share some of their positions.

There is a position that answers these challenges. A transactional approach to knowledge—albeit one in which the concept of objective

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truth is meaningful—and Aristotle's recognition that method needs to be adapted to subject matter provide the keys. This approach shows that deduction works only within contexts in which the measures or meanings of terms provide sufficient stability. As I shall attempt to show, this occurs, even if less than perfectly, in physics and so imperfectly in morals and politics that deduction and generality conceal more than they reveal.

Although this article dissents from universalism, and the allied concept of identity, its analysis of interpretation nonetheless will show that humans inhabit a potentially common world within which judgments of theories, hypotheses, and moral choices may be made on objective grounds. Thus, it returns to the Greek goal of a common synoptic reasoned understanding of objective nature while differing with some of its key concepts.

The article begins by showing the centrality of fit to interpretive judgment in a world in which words or concepts have different, and sometimes radically different, meanings. This leads into an examination and rejection of identity as an alternative to interpretation. An analysis of transactions will show why their products are objective even though, when considered individually, they may seem to say different things. Discussion of the Rosetta stone will show why the density of information is crucial in the effort to arrive at a judgment that shows how differences in concepts are judged in arriving at conclusions to which the concept of truth is relevant. An exploration of Wittgenstein's language games approach will show that it either denies the possibility of a reasoned choice from among conflicting positions or has employed a form of dialogical argument that obscures what a more direct form of inquiry would reveal.

This perspective will be used to show why Rawls's theory of justice is untenable and why the test in principle is appropriate.

## I

*Is Knowledge Interpretational?* Current analysis suggests that information that responds to sensory inputs is transactional. Consider a radio station. It does not propagate words but only radio waves which eventually are transformed into words by minds. Exper-



iments show that when transmissions are partly garbled by noise, the mind uses expectations to fill in the gaps.

For instance, if "eye" is heard, the mind must discern whether the reference is to a self, to the center of a storm, to a needle, or to an instrument of vision, each of which has a number of associated concepts that are not intimately related to each other. Other words in the sequence permit discerning what is meant by the sentence.

The reasoning with respect to "eye" is not deductive, but based on fit with other elements. If the words "high winds" and "rain" appear in the sequence, eye of a storm is inferred. The sentence gives meaning to the word. If, on the other hand, one hears "shutter speed," one thinks of a camera and the word assists in the meaning of the sentence. Thus, it is not possible to know the extension of a meaning within the sentence or to qualify its intensional aspects, that is, to decide how the meanings of terms differ in different contexts, without referring to a panoply of meanings that do not depend upon the sentence. Even such a simple thing as a sentence requires interpretation that calls upon information external to the sentence.

Each element of the analysis involves information that is related to categories employed by a mind. If each were deduced from other elements, this would be circular. If, on the other hand, the analysis rests upon a fit among partly independent elements of knowledge, it does suggest a method of reasoning analogous to what Aristotle called judgment. As this article will attempt to show convincingly, it is judgment that permits the analyst, in principle at least, to do what Wittgenstein, for instance, appears to deny: to judge worldviews and partial worldviews from the standpoint of the interpretation of observations and the interpretation of observations from the standpoint of worldviews and partial worldviews. The density of the information that is available is crucial to these judgments.

## II

*Testing the Identity Thesis.* The preceding analysis that posits the interpretational character of human knowledge has serious limitations if the thesis of a universal connection between concepts or names and things can be sustained. Such knowledge would be independent of interpretation. The most recent attempt to resurrect that



thesis, the Kripke/Putnam rigid designation thesis, which posited a rigid, that is, a universal, connection between names and referents, has been convincingly rebutted.<sup>1</sup>

However, the Kripke/Putnam thesis may not provide a good test of the Aristotelian position. It is general while Aristotle's thesis, unlike many early modern positions, was limited. In Aristotle's system, identity applied only to units, that is, to a nondivisible one as contrasted with a divisible many. Aristotle considered objects other than units to be composite and he applied a more qualified sense of true to them. How correlatives are understood is central to this discussion.

Correlatives, as I use the concept,<sup>2</sup> are axes of transactional meaning, the poles of which do not have philosophical independence, as they do in Aristotle's system. The axis, or category, creates meaning by contrasting objects of experience. Thus, something may be light with respect to one thing and dark with respect to another. Something may be a unit from one perspective and a plurality from another. The self, even the mind, is a plurality when considering the subprocesses within it, and a unit as the home of the subprocesses. On the other hand, it is the philosophical independence of the polar terms in Aristotle's system that sustains his treatment of units.

Therefore, a critique of Aristotle's position on identity must cope with his understanding of what characterizes units and distinguishes them from composite objects. If Aristotle can make this case, he can argue for the permanence of units, for their essence will never change. His solution lay in an apparent demonstration that some objects had a unique irreducible set of qualities that distinguished them from a many. Some neo-Aristotelians believe that they can find examples that meet this test in the Aristotelian corpus. For instance, a line is a continuum. The end of a line is a point and it is indivisible. Thus, it is an Aristotelian unit, an indivisible, a one as distinguished from a many, that is identical with its referent.

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<sup>1</sup> See the masterful dissection of rigid designation in Leonard Linsky, *Names and Descriptions* (Chicago: University of Chicago Press, 1977), 66 and following. See also Morton A. Kaplan, *Science, Language, and the Human Condition*, rev. ed. (New York: Paragon House Publishers, 1989), 61–71. Hilary Putnam, *Mind, Language, and Reality*, Philosophical Papers, vol. 2 (Cambridge: Cambridge University Press, 1975), 975, admitted that neither he nor Kripke could make an epistemic case. But they thought they could find good examples. Each one they tried, for instance, yellow is yellow or water = H<sub>2</sub>O, was shot down in turn.

<sup>2</sup> Kaplan, *Science, Language, and the Human Condition*, 51–61.



However, as contemporary science reveals, the end of an actual line is not an Aristotelian unit or point. The end of an actual line will have precise delineation only if an instrument is used that cannot detect molecular motion. Because no molecular motion is identical to another, examples of the concept are such analogically. Moreover, a claim of molecular motion invokes a judgment that is not independent of the context in which it is used.<sup>3</sup>

It does not support the Aristotelian position with respect to an end of a line to move to the formal concept of an end of line. This can be understood only by the correlative contrasts between line and segment and divisible and indivisible. These can be understood only through contrasting examples. For example, consider a large point. Then one can imagine reducing it in size until it can be reduced no more, at which terminus it is indivisible. But this mental procedure no more has a theoretical termination than does the injunction to continue positing integers until one has an infinite set. In the absence of examples, the words alone do not convey meaning. If examples are employed, one is in the realm of the nonidentical, for they are judged by contrast.<sup>4</sup>

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<sup>3</sup>Series of email exchanges with a member of a group of neo-Aristotelian philosophers who proposed the example of the end of a line. My learned and helpful interlocutor, Peter Redpath, has corrected mistakes in my understanding of Aristotle. Although we continue to disagree, I have learned much from him that was useful in writing this article. I agree that stable designations have a kind of unity and permanence. However, "kind of" is not the same as actual. I, thus, disagree with Aristotle's position that if a definition of a unit is true it is necessarily true. No formal definition can be true of the world in such a sense. I see permanence and change, unity and plurality, and necessity and chance as correlatives and things as transitionally segregated bundles of potentialities (See n. 7).

<sup>4</sup>The classical Greek philosophers had no knowledge of how the neural system operates in the formation and employment of concepts. However, we now know that this process is inconsistent with an identity, even in the limited Aristotelian sense, between a sign and a concept. When an object or quality is recognized, signals fire from different parts of the brain. Although it would be a mistake, as Neils Bohr noted, to reduce brain to mind or mind to brain (complementarity applies, as it does in the wave/particle case: see Max Born, *Physics and Politics* [New York: Basic Books, 1962]), this indicates that concepts have a complex neurological context. They do not exist in a discrete form as do signs that mediate between the mind and referents. Thus, they evolve as the content of mind evolves. Furthermore, recent research shows that different parts of the brain are involved in top down (general perspective) and bottom up characterizations of the objective world.



Aristotle's concept of judgment rather than his method for determining a unit applies to choice of category. For instance, Aristotle defined a human as a rational animal. Carnap pointed out that "featherless biped" would meet Aristotle's account of unit. This showed that neither met this standard since a unit needed to be unique to serve its ontological aim in Aristotle's canon. Thus, the concept of what is human also involves a judgment that is not independent of contexts and the concepts relevant to them. Such a judgment would rule out featherless biped, although it would not instantiate rational animal as a unit.

Human natures are not identical with each other but vary with DNA, natural development, and sociological contexts. On the other hand, some of the overlapping aspects of human nature may be judged more important than others from a more inclusive range of knowledge because of the dense way in which they are related to each other. The judicial hearing in *Star Trek: Next Generation* in which the issue was whether the cyborg Commander Data was human was an exercise in reasonable judgment. The judges explored his behavior and judgments in a variety of situations and compared them to those of biological humans. The issue was not whether Data's humanity was identical to that of the other officers but the extent to which it should be considered similar for legal and moral purposes. Compared with biological humans, Data scored close to the top of the scale of what is human (I leave unexplored whether nonbiological systems are in fact capable of the emotions, or of motives including intellectual ones, that sustain caring for others).

Context and frame of reference, thus, are related to the intensional elements that are included in the understandings of concepts such as "human." Judgment, which invokes closely related elements of knowledge, is used. But there is no absolute identity, only a bounded one.

### III

*Early Modernity and Universal Theory.* Before turning to an examination of how judgment discloses objective features of a common world, a discussion of theory in modern physics will help to clarify the implications of this position. This discussion will disentangle the pro-



cedures of modern science from the interpretation that early modernity put on, for instance, Newtonian theory, an interpretation that is still accepted by many physicists who consider the truths of physics to be universal.

The aspect of theory in physics that is unlike theory in many other sciences and that makes it appear universal is that repeated use of the measures of the qualities employed in its theorems almost never raises any extensional or intensional problems. The early modern version of strictly deductive theory permitted experiments in which common measures took the place of Aristotelian true definitions or units. The measures applied to qualities were believed to be ontologically identical with the magnitude of qualities and, therefore, universally applicable in deductions that employed the theorems of mechanics.

It likely was the great success of Newtonian theory (and also of the nonsyllogistic Port Royal logics) that led to the overextension of deductive theory, for it seemed to suggest that the limitations on deductive theory in classical analysis were the products of the syllogistic form of theory. However, we now know that common measures are often elusive outside of physics, that extensional restrictions apply within physics even when measures are common, and that the intensional characteristics of the terms used in theories (mass, for instance) may differ with the theories that employ them.

The best known example of the absence of universalism in classical mechanics is provided by the clock paradox of relativity physics. Observers on independent inertial systems will each assert that time lengths on the other are longer and they will agree that each will be correct. Thus, the inertial system is a referential context central to the scope of application.

Some problems that arise in quantum physics, where the "laws" and their contexts of application differ from those of classical mechanics, are even more profound. If some experimental instruments are used, wave characteristics emerge. If others, particle characteristics emerge.

This led many physicists to argue that the objects are both waves and particles before experiment. However, there is no evidence to support this and these objects have particlelike or wavelike existence only in transactions. Because John Wheeler thought the notations of quantum theory were identical with the nature of their referents, the fact that only one of the possible probabilities emerges in any test (the



"collapse of the wave function") he was led to his "many worlds" hypothesis, for which there is not, and likely cannot be, independent evidence.<sup>5</sup>

But an even deeper challenge to universalism emerges with entangled photons. The Einstein-Podolsky-Rosen thought experiment showed that if quantum theory is correct entangled photons would coordinate their polarizations at up to infinite distances instantly. Einstein believed this was so ridiculous that he thought it disproved quantum theory. Yet increasingly rigorous experiments support the predicted result. The results of the tests of entangled photons are apparently inconsistent with Einstein's great constant,  $C$ , the speed of light. However, space and time are notational categories that permit studying relations among things and changes in these relationships. Thus, the entangled photons manifest relationships relative to the context. They are no more disproofs of  $C$  in the transactional area in which relativity physics is relevant than are the contradictory measurements from independent inertial systems true paradoxes.

No theory, and no analytical paradigm, as far as is known, is ever true in the Aristotelian form of a necessary truth in which it is identical with the referential world. Its application always involves an interpretation of the symbols. No theory is proved true, even tentatively, in the absence of its fit with other elements of knowledge that are lodged in other part systems. The equilibrium among these part systems when confronted with evidence permits shifts in meanings and relatedness. When the evidence demands it, as after Galileo's experiments with inclined planes, a shift in the use of theories and explanations occurs. It is the fit of knowledge that is convincing.<sup>6</sup> Understanding of the fit of evidence, thus, depends upon the state of knowledge and the competence of the analyst.

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<sup>5</sup> "I do deplore, like yourself, the nonhermeneutical, noncontextual assumptions that underlie the way scientists, such as Wheeler, misunderstand the meaning and role of theory. But this is not just a fault of scientists, but also of many philosophers who mistake symbols for the signified (what is meant) and theoretical equations for universal world structure, independently of observers, research communities, the laboratory horizons of experiments, and the practical horizons of technical design." Communication from Patrick Heelan, William A. Gaston Professor of Philosophy, Georgetown University. The next section of this article and Heelan's comments express a similar position.



## IV

*Transactions and Truth.* If one means by objective truth a universalistic relationship between concepts and things or processes, then there are no objective truths. However, this flies in the face of experience with transactional products.

It is objectively true that time lengths are longer on independent inertial systems other than one's own even though this judgment is not necessarily true. The measurements of particles coming from outer space show that they decay at a slower rate than those originating on Earth just as the theory predicts. In this case, the transactions are relative to placement on an inertial system. It was true, as Lewis Morgan discovered, that in one Indian tribe a mother was any female in an appropriate age cohort with respect to all females in a specified age cohort regardless of direct biological descent. A green ball is objectively such for any average human in sunlight.

Even most philosophers who stress interpretation can hardly deny that the former examples are true in a meaningful sense. So why do some of these philosophers argue that interpretation is inconsistent with objectivity? Their mistake is to fail to recognize that the operations of mind are also a context for experience.

The transactions of minds, like transactions with clocks, create objective products. The atomic clock in Boulder measures time by shorter intervals than my watch. It would not be true to say that one is true and the other false. Each measurement is true from its transactional context: the mechanism employed in the measurement. It is also true that my watch will become inaccurate over a very long period of time according to the context of a scientific theory. Furthermore, if a wristwatch has begun running fast, it will be judged to show an increasing discrepancy with the length of days. As this will not fit any other stream of data, the utility of the wristwatch for standard purposes will become questionable. In loose terms, one would judge the watch to keep poor time. That would be objectively true.

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<sup>6</sup> Kaplan, *Science, Language, and the Human Condition*, 79–122. These pages provide both a critique of individual proposals for unique protocols of confirmation or falsification and a discussion of how the metaphor of fit is used to deal with judgments in a variety of fields.



If one investigates mind as a transactional context, it is possible to specify how different types of neurological systems transact differently with referents. We know that dogs do not have color vision and that their olfactory apparatus is much more sensitive than that of humans. This is why courts accept the barkings of trained dogs with respect to inspections for dope.

If reality is regarded as transactional—and this accords with the evidence—then the concepts that evolve in an infinity of possible transactions are not interpretations of a static underlying reality that is beyond knowledge but objective products of actual or potential transactions that shed objective light on each other. Claims about their intensional and extensional aspects are judged by how the transactions of minds fit with other transactional aspects of knowledge.

For instance, suppose someone says that a red object is green. If one gives a color test, it likely will be discovered that the person is color-blind. Close examination likely will show that his optic apparatus differs from the standard human. It is objectively true that the object is green for him and red for most of us. The color-normal and color-blind person can agree on who is able to distinguish colors more sensitively and why, thus showing that they share a common, although not identical, world.

How external objects transact with each other and with minds is subject to interpretation. Thus, the green aspect of a transaction by a color-blind person is objective and the account of how and why this product is produced is interpretational and tentative. The denser the knowledge that enters into the interpretation, the greater the confidence that can be placed in it.

Speculative reason can imagine perceiving selves different from ours. For instance, a self with a perceptual span of 30 years could not perceive Schrödinger's cat alive or dead. However, the cat is potentially there for such a self if it can find some method for inferring its existence. Analogously, physicists who cannot directly experience subatomic particles infer their existence from experiments. Systematic employment of this hypothesis will clarify some seeming scientific puzzles. Consider a variation on Schrödinger's thought experiment. A cat is placed in a hermetically sealed capsule that contains a



device that randomly emits a poison. The question is whether the cat died before the capsule was opened or only when the dead cat is observed.

Suppose a camera that records the passage of time is placed in the capsule before it is hermetically sealed. Suppose after it is unsealed that the film shows the cat died a day before the capsule was opened and suppose an autopsy supports the film. Then the judgment that the cat was objectively dead before the capsule was opened, although not necessarily true, seems justified despite the interpretational character of the data and the probabilistic formulation of quantum theoretical notations. The film establishes that the cat's death is what an observer would have experienced had one been present. This transaction was potentially present despite an observer's absence.

Many physicists misinterpret the slit experiments when they assert that whether a wave or particle is produced depends upon observation. It is a transaction with an experimental apparatus that produces a wave effect in one case and a transaction with an incompatible set of instruments that produces a particle effect in the other case. Transactions with minds do not produce this diversity of effect, even though waves and particles can be experienced only by minds. Filming the tests in the absence of observers and observing the film later would confirm this. Thus, what is objectively the case is a result that recording instruments, whether or not human, can capture.

Even *trompe-l'oeil* transactions are objective because the image that results stems from concentration on particular elements of the drawing. Hallucinations are transactional products that cannot be captured on film and that, unlike the case of the slit experiments, do not exist independently of a particular perceiver's mental processes.

Analysis reveals the factors external to the self that a nonhallucinating individual would observe differently and the factors internal to the self that produce the hallucinations. The former examples reinforce the view that the so called subjective factor of interpretation is merely a component of a more inclusive analysis of an objective reality. Even one who hallucinates, after recovery, may be able to understand how his past experience misrepresented an external course of events and why others interpreted hallucinatory claims as mistaken.



Fallible judgments about the correct way to characterize objective aspects of the world are made within the framework of a realm of knowledge, the various parts of which assist in judging other parts. For instance, consider the Rosetta stone. If primitive man had found it, he would not have recognized writing. The discoverer of the stone recognized writing but could not translate it. Eventually, with the expansion of knowledge in which a more complex schema allowed an understanding of more complex relationships, it was translated.

In this latter phase of knowledge, one could know why primitive humans could not recognize writing, why the discoverer of the stone could recognize writing but not translate it, and why it could be translated at a later time. Before writing emerged, it was not possible to recognize the marks as writing. When the stone was discovered, it was easy to recognize writing but the cognate information that would be needed for translation was not yet available.

If one means by objective a characterized state of affairs that will be similarly but not identically reproduced in similar contexts, *including the state of knowledge of individuals of their world and of the character of their selves*, then the judgments about the correct ways in which to characterize the intensional and extensional features of the world, at least for humans, are such objectively and commonly but fallibly. The intensional and extensional applications of concepts evolve as the complex interplay between a global synoptic system of knowledge composed of partly independent part systems and of particular objective products is judged.<sup>7</sup>

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<sup>7</sup> This is an infinite process. It is interesting to note the position Georg Cantor took when he claimed that some infinite sets are larger than others. It is true, for instance, that for the interval of 1 to 100 the set of integers is twice as large as the set of even integers. However, an infinite set is not something that exists but a process that is characterized by an algorithm. One infinite set may be "sort of" larger than another but it does not have actual existence as a set (According to the Tristram Shandy paradox, if Tristram lived forever and if it took him two days to write up each day's events, then the older he got the farther behind he would be until eventually he would be infinitely far behind). This does not mean that the concept of truth is meaningless but only that every claim of truth is limited. Within their intensional and extensional limitations things do have a kind of unity and a kind of permanence. The world is such that some types of interpretations, within their extensional and intensional limitations, function with enough reliability to permit understanding and communication.



There is an important second sense in which the world is common. As in the case of the Rosetta stone, we often will have enough dense information to understand why some interpret aspects of the world differently from us and why their interpretations may be inferior. In other cases, we may be able to understand why some have better knowledge than we do in certain areas and why their interpretations may be better than ours.

Some whose interpretations are based on a much less dense realm of knowledge than ours, analogously to a primitive man's discovery of a Rosetta stone, may think they have a worldview as valid as ours while we know they do not. Others may be predisposed to a dogmatism that forecloses inquiry. However, in principle, a common world, at least for humans whose faculties, capabilities, and access to information are similar to ours, is potentially present. Whether sentient beings radically different from humans might interface with the world in such a way that it is not common is a question that I cannot answer. Although this position is epistemological, it is also ontological. The world does not consist of static things or processes. It consists of evolving transactional products. When the transactions involve minds, they invoke interpretations that use signs to categorize objects of experience and they do so recursively. Signs mediate between referents or objects and concepts. But the signs no more have an identity with concepts than with referents, for the meaning of a concept is produced by an evolving complex neural net that contains conscious and preconscious elements.

## V

*Wittgenstein.* Wittgenstein's enormous influence makes his position relevant to this inquiry. My reading is that he denied that one could reach beyond personal knowledge to judgments of truth that are common for humans. Others argue strongly that his dialogical method permitted such inquiries. If my interpretation is correct, Wittgenstein is wrong for reasons specified in the previous section. If the alternative interpretation is correct, a brief discussion that is related to a detailed technical analysis of Wittgenstein's position<sup>8</sup> will show that an

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<sup>8</sup> See Kaplan, *Science, Language, and the Human Condition*, 142–71.



analysis based on the fit and density of evidence within a contemporary worldview allows the formation of judgments of truth in a way that language games analysis does not.

Consider this aphorism: "there is nothing like the 'T' in physics."<sup>9</sup> The "T" is a framework of reference. In anthropology the framework of reference, that is, the tribe, is crucial to Morgan's claim that in one Indian tribe "mother" did not invoke direct biological descent. In physics, time lines are relative to inertial frames of reference.

Wittgenstein's aphorism stressed a difference between physics and other theories that had been known to be incorrect for decades. Moreover, it did not lead to the exploration of the differences between physics and comparative social theories with respect to truth. The choice of relativity theory over Newtonian theory hinged on the ability of the former to account more completely and with greater precision for the phenomena to which the two theories applied. Although there were differences in the meanings of some key concepts, mass, for instance, and in the equations or grammars of the systems, the decisions that led to the recognition of relativity theory as true were determined by tests, the results of which were not dependent on intensional or language games differences between the theories or the uses of the instruments involved in the tests.

Morgan's systems of consanguinity have "family" resemblances as do the theories of Newtonian and relativity physics. However, in Morgan's study the adequacy of the accounts of the factors that led to the differences in the systems and the ways in which they satisfy a range of social needs are at issue. Truth applies to accounts of individual systems and it is not the case that if the account of one is true, those of the others must be false.

As in the case of physics, information outside of the so-called games, that is, of the theories, is required to assess judgments of truth. In physics, the measurement of whether light bends around a gravitational field is not determined by which theory, or language game, is being examined. In sociology, whether support has been maintained or the requisites of life acquired are not determined by the theory of a system. In other words, part systems not directly included in the cen-

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<sup>9</sup> Ludwig Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscomb (Oxford: Basil Blackwell and Mott, 1958), 116e.



tral theories or language games are used in the assessments of fact. It is the fit of evidence and not a unique account of confirmation or falsification or a language game that is involved in judgment.

Wittgenstein, however, at least seems to suggest that a different framework of understanding applies. Suppose "instead of the physicist," Wittgenstein wrote, "they consult an oracle. . . . If we call it wrong to consult oracles and be guided by them, aren't we using our language game to *combat* [italics in original] theirs?"<sup>10</sup>

Would one consult an oracle to determine when a spacecraft will pass a planet? Would one consult a physicist to ask whether my birthdate falls on a lucky day? We have good reason to ask a physicist about the path of the spacecraft. On the other hand, the fit and density of evidence suggest that astrology may be far less than an exact science with respect to the lucky quality of my birthdate. A suggestion that one not consult an oracle or a physicist to answer the second question might simply reflect the irrelevance of these disciplines in the contemporary framework of knowledge. To suggest a physicist with respect to the first question is not to engage in combat with an alternative language game but to make a reasoned choice.

This aphorism conflates issues that need separation. Is there a universal theoretical approach such that one must choose between physics and oracular knowledge? Why not between physics and biology or psychology? Even if one chooses a subject matter to which a particular case is relevant, why assume that a general theory for that area is appropriate? In any event, even if that aphorism was only a stage in a dialogical inquiry, it does not initiate a productive inquiry.

To show that elements not included in a language game or theory are central not only to choices from among closely related theories but to choices from among entirely different types of theory (or language games), consider two actual historical cases, for instance, Fatima and the Cargo Cult, for which physical or oracular-type explanations are alternatives. Examination of these examples will show that it is the fit and density of evidence that leads to a tentatively reliable judgment that takes into account evidence that is not reducible to either perspective.

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<sup>10</sup> Wittgenstein, *Philosophical Investigations*, 80e.



The belief of some religionists in the events in Portugal associated with the Fatima<sup>11</sup> is not necessarily false. But the physical effects that one would expect a “dancing” and even “darting” sun to produce (physics) were not experienced anywhere. Reports of experiences of a dancing of the sun that normally would be visible over a wide area were confined, with some exceptions, to observers in relatively local areas. And reports are subject to possible *post facto* reconstruction of memories and possibly are derived from hallucinatory experience (psychology). The deaths of the two girls likely would be regarded as coincidences (probability theory).

Hence, judgment—which can be applied by both religious individuals and nonbelievers who are willing to reason about evidence—properly rejects Fatima claims in the absence of more convincing evidence to the contrary. Change some of the facts in the Fatima case and the judgment that no miracle is involved will be called into question. Suppose the darting of the sun had been reported in many different countries before the events at Fatima had become known outside of the local area. This would cast serious doubt on arguments that mass hallucinations or retrospective falsifications of memory might explain the observations. The deaths of the two girls might be coincidental but could not now be dismissed on that basis. This would raise the possibility that a radical exception to the “laws” of physics had been found. However, in the absence of a dense surrounding of supporting judgments, it would leave open hypotheses about what had happened, including one that God had arranged a miracle.

These different interpretations are based upon reasoned judgment of the fit and the density of evidence. In the case of the sentence in which “eye” required interpretation, shutter speed supported the inference that “eye” referred to camera. In the Fatima case, it was enough to know that the sequence of events supported the inferences of hallucinations or retrospective falsification in one case and undermined them in the other.

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<sup>11</sup> In 1917 three children claimed the Virgin Mary appeared, offered predictions, and stated she would reappear on several occasions. When a multitude gathered for a particular appearance, they claimed to see the Virgin, a vision of hell, and the dancing of the sun. Although some who were not in the local area claimed to have seen the dancing of the sun, most people did not. One prediction was that a particular two of the children would die soon and that did occur.



On the other hand, had the Fatima example occurred in the thirteenth century, a fit of evidence less dense than that of the contemporary period might have supported the attribution of miracle.

The beliefs of members of the Indonesian Cargo Cult—that only God could have provided the huge amounts of material offloaded from ships during World War II—could easily have been undermined by taking them to the factories that produced the goods, the shipyards that built the ships, and the organizations that planned and carried out the voyages. As in the case of primitive man and a Rosetta stone, the account of Cargo Cult members of the origin of the shipments was primitive because they had had no access to the dense information that undermined that claim.

The discussion of Fatima shows how an investigation would proceed from the standpoint of a contemporary worldview. In the case of the Cargo Cult, the worldview of the cult members (including how part systems are related within them and evidence evaluated) must be disentangled if they are to understand what they have observed. This is done by appealing to part systems that the cult members share with moderns. A brief account of how the cult members could have been shown why their account of the delivery was wrong was provided in the last paragraph without any consideration of language games.

Consider this aphorism, “I say of someone else, ‘He seems to believe,’ and other people say it of me. Now why do I *never* [italics added] say it of myself?”<sup>12</sup> The implicit answer is that one can deceive others but not oneself because one has direct access to one’s beliefs. This comes out explicitly during Wittgenstein’s discussion of pain (the privacy issue).

Wittgenstein’s aphorism incorporated a concept of mind that had been invalidated by work in psychology and neurology well before mid-century. Mind is far more complex than the aphorism acknowledged.

When I used to play cards for money, I tried to convince one player that he really wanted to lose, even if he thought he wanted to win, by showing him that he knew that most of his bets went strongly against the odds. My interlocutor eventually came to doubt that he really wanted to win, despite the fact that he had thought he did, as he recursively took into account the same evidence that led to my doubt.

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<sup>12</sup> Wittgenstein, *Philosophical Investigations*. 224e.



Both he and I then thought there was a deep layer of his mind that "knew" that he did not want to win and that it was prevented from rising to self-consciousness because losing satisfied some need. He finally believed that he only seemed to believe that he wanted to win. This is at least a plausible account of the specific case.

Consider two other possible examples. A man sees his doctor and tells him that he feels a pain in an arm that has been amputated. The doctor explains how the neurological system produces this result. Two men are walking along a dark path. One says that suddenly he is afraid. The other says that he felt a cold breeze which raised goose bumps. Perhaps this is what the first man has interpreted as fear. In all three cases, the information that leads to interpretation is commonly accessible.

Can one feel another's pain? This is an example of what Wittgenstein's approach restricts to the area of privacy. No language game can exclude this possibility. If something like the entanglement of photons were involved, this might be possible. No reliable evidence currently supports this position. The evidence with respect to twins is anecdotal only. However, processes that employ mirror neurons can simulate the feelings of others. In this sense, it is possible to feel what another feels. This may be at least one source of empathy and of moral concern for others. It is the fit and density of evidence from different part systems in all these cases that enables one to frame the relevant questions and to judge answers to them. These will evolve with the state of knowledge.

Because of the complexity of mental processes, it is possible, even if only rarely actual, to know within a dream that one is dreaming and even to edit and rerun a dream. Although there are many problems with both the formulation and application of a contemporary theory of mind, neither Wittgenstein's language games approach nor his aphoristic method provide a useful point of departure for their examination.

Memory also is a complex process. It does not present past events or beliefs in ways that are directly comparable. When one judges that the A's in  $A=A$  are the same, one can compare them directly across a number of characteristics. (Hence, they also are not identical.) On the other hand, one cannot directly compare one's belief one moment ago with one's belief now. If this were not subject to objective analysis, then any knowledge of one's beliefs would be so



fleetingly transient that it would be almost meaningless to say that one knows what one believes. A critical mind will put parentheses around its beliefs. In this sense, a critical intelligence will always possess a residue of doubt that it believes what it thinks it believes.

The reason one can know memory can be falsified is that one can compare it with artifacts that are present to others as well as to the self. For instance, one remembers that a dance occurred in 1993 but a program and other evidence show that it was held in 1994. It is this process in which observational and theoretical interpretations are fitted to each other within different bodies and densities of evidence, and not the process of language games, that enables one to form judgments concerning objective truth within the framework of a *contemporary synoptic* philosophical analysis.

## VI

*Philosophy and Moral Analysis.* According to what many classicists consider the best interpretation of the Socratic dialogues, they are consistent with contextual limitations. For instance, consider the discussion of whether rule by the stronger or the wise is appropriate. As in some animal prides where the strongest male rules, some tribes quite appropriately let the strongest male or the faction with the most available force rule. This may have been the best regime in some contexts, for instance, ones in which protections of related persons against enslavement and theft of food supplies were urgent. However, because these investigations lack density, they tend to be overly general. Classical accounts in which virtues are critical criteria in moral arguments are also subject to context. No society is likely to survive under harsh conditions if its virtues are not incorporated in common practice, for the risks involved in its support are not likely to be assumed in the absence of virtue. Moreover, virtues are essential to a self that has the satisfying integrity that an intelligent person would recognize as desirable.

However, there is no common measure for what a virtue is. The meanings of virtues often differ very much from society to society. Honor in Tokugawa Japan (extension) meant giving loyal support to one's superior even if this required dishonesty (intension). In nineteenth-century America, unless one were one of the robber barons,



honor required honesty even if this injured one's superior. In Jordan honor means killing a sister who has been raped.

Both the natural law and natural rights doctrines have fatal defects. Even the natural law to do no harm is too simple. The brother in Jordan who protects his sister is harming his father and family in the society in which they live. Nor does natural right work. For instance, every society in which skyscrapers are built, in which fires are fought, or countries defended under attack impairs the right to life for some. Neither approach can hold universally and the extent to which either is relevant for a class of cases or for a particular case requires dense analysis.

## VII

*Rawls's Contract Theory.* Great cachet attended John Rawls's theory of justice because of the belief that he had been able to wed choice theory to contract theory to produce a general theory of justice that would be independent of context. However, game theory is not a general theory of choice, and even within game theory, let alone bargaining theory, different models apply to different situations. The analysis below is a sketch based on an extended analysis.<sup>13</sup>

Rawls's formalistic approach is detached from consideration of what is good. It generalizes one aspect of the bargaining model: a determination of what rule for decision would be chosen for a particular bargaining model if the parties did not know which axis of the game

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<sup>13</sup> An analysis of John Rawls's major book *A Theory of Justice* (Cambridge: Harvard University Press, Belknap Press, 1971) is presented in Morton A. Kaplan, *Justice, Human Nature, and Political Obligation* (New York: The Free Press, 1976), 107–81. These pages offer a critique of the particulars of Rawls's argument and of the reasons for their adoption. They also analyze special devices such as the reflective equilibrium, which depends upon unspecified and, if one accepts the philosophical position stated earlier, nonexistent universal generalizations of social science. A critique of utilitarianism is also contained in these pages. A systematic discussion of the various types of choice theory and of problems in their application to complex real-world events is presented in Morton A. Kaplan, *System and Process in International Politics* (New York: John Wiley and Sons, 1957), 167–250.



they would be placed on. In this sense, he argued, it would be fair between the parties and one could let one's enemy choose for one.<sup>14</sup> He then added a qualification that the parties could not know what the world is like before choosing the rule. They would choose from behind a "veil of ignorance" in which they did not know in which society they would be born or what its circumstances would be. With this move, Rawls excluded an essential element of choice theory.

Choice theory depends upon the relationship between alternative rules and what the world is like. If one does not know what the world is like, one cannot evaluate the outcomes of different moves. If one does not know how a rule impacts outcomes in the real world, there is no ground for choosing it. One is in the position of a primitive man with a Rosetta stone.

Ignorance of which axis one would be placed on in agreeing to a rule is an acceptable device in some bargaining games, whether single shot or repeated, only if there is enough information about what the world is like to judge that a rule is superior to alternatives. If the parties choose rules of a risk-minimizing character, they know that they will assure an acceptable, even if not an optimal, expected result. If they prefer a different risk orientation, they will choose a different rule. If they cannot agree upon a rule, whether because their attitudes toward risk are incompatible or for some other reason, no rule will be fair, even in the very narrow sense of Rawls's theory. It would not be

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<sup>14</sup> The only game for which this appeared to be true was the two-person zero-sum game, although, even so, it would hardly be an adequate foundation for a general theory. Then L. J. Savage pointed out the minimax regret criterion. The prisoners' dilemma seemed to pose an absolutely dominant solution until one examined the relationship between raw outcomes and utilities. The prisoners' dilemma is a dilemma only if one specifies that the prisoners value jail sentences inversely with length and that they are indifferent to the fate of their colleagues. If the prisoners know they care about each other, tacit coordination turns it into a cooperative game. The numbers employed for dollars in various games are determined by the von Neumann utility axioms, which invoke an exhaustive set of comparisons. (This is why it may be rational for some people to buy one, or even more than one, ticket for a Big Lotto even if the expected dollar value is less than the purchase price.) Such comparisons depend on dense analysis. The test in principle also invokes a dense form of analysis.



wise to allow even a friend with different concerns, let alone an enemy, to choose the rule.<sup>15</sup>

Another fatal flaw of Rawls's theory is one that attended Hobbes's theory. It does not establish a moral ground for keeping a contract if doing so is on the whole, and taking into account repeated play considerations, disadvantageous. This is obscured by Rawls's use of the terms justice and fairness with respect to his hypothetical contracts. However, even though fairness may be an aspect of justice in some moral theories, it is difficult to see how either concept rises to this level in a theory that denies knowledge of what is good and that bases its position on the optimization of preferred outcomes rather than on the moral evaluation of rules and outcomes.

Even if one agrees that fairness is a good—and this is not relevant in a system such as that of Rawls which abjures knowledge of what is good—it is not the only good that needs to be taken into account, for instance, reducing global warming even though both the benefits and costs may impact very unequally on individuals or groups, depending upon actual circumstances. Thus, for instance, one may prefer one rule if the inequalities are modest and another if they are gross, even apart from one's own circumstances, and vice versa. Furthermore, fairness does not have a common meaning, for instance, giving to each according to need or to production is but one of numerous alternatives.

Asking one to choose from behind a Rawlsian veil of ignorance likely would be regarded as unfair because it is incompatible with an informed choice. The more important the issue, the greater the unfairness. And, for any reasonable understanding of what justice is, the less just the procedure.

Because choice theory uses ignorance only within the framework of a defined situation, Rawls's veil of ignorance left him with awkward questions whenever he related his theory to the real world. He tried to respond to the recognition within the choice community that minimax assumed a conservative stance toward risk by an ad hoc argument

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<sup>15</sup> The asymmetric bargaining game—and all bargaining games in principle are asymmetric—replicates the problem introduced into game theory by minimax regret. There is no single solution and, hence, no rule that is uniquely fair in Rawls's sense. However, in this case, it is not attitude toward risk but conceptualization of bargaining strength that is at issue.



that at best was limited in time and place. He claimed that one might opt for risks for oneself but not for one's children. This claim might be true for many in Middle America but it was not true for the Flying Wallendas or military families. Furthermore, many of the great advances in science, art, and politics have occurred only because risk did not deter some of those who took them.

Rawls's first book and his second book contain many specific ad hoc principles and adjustments that are time and space limited. One example is his argument for reducing risk. A second example is his injunction to improve the lot of the worst off. In addition to being arbitrary within his system, it is entirely open-ended. Is "worst off" determined by low income or by failed expectations? How badly off does one have to be to be a member of the worst off? How much and what type of improvement is required? What if such an effort would compromise the ability to build a defense force? Why should anyone pay a price to help the worst off unless this is a good?

Would one support a one-man one-vote system if instead of being bell-shaped the distribution of intelligences were u-shaped? Would one want to allow all to take a lottery ticket for a position if many are cheaters and others ethical? The generality of Rawls's theory is undermined by his ad hoc adjustments. His ad hoc adjustments are unsatisfactory because they have no dense relationship to any social reality. One is in the position of someone who can recognize the marks on a Rosetta stone as writing but who lacks the cognate information required to translate more than one or two words in a sentence of ten or twenty.

## VIII

*The Good, Human Nature, and Feedback Systems.* One great value of the Aristotelian approach to ethics lies in his understanding that the subject rests on the nature of the human and of what the good is.<sup>16</sup> No approach to the subject that fails to follow Aristotle in these respects will be able to treat ethics properly.

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<sup>16</sup> Kaplan, *Justice, Human Nature, and Political Obligation*, 47–104, presents a step-by-step critique of Toulmin's denial of the objectivity of the good. Stephen Toulmin, *Reason in Ethics* (Cambridge: Cambridge University Press, 1950).



The contemporary concept of a feedback system is compatible with Aristotle's concept of nature. With this concept, desires, which play an important role in Aristotle, reemerge as outputs of an existing feedback system in its relationship to the world of referents, including the self. The judgment that a desire is a good is a judgment of an actual or a potential transactional product.

How can one judge the relationship between nature and desire in order to arrive at a judgment of what is good? If one did not know the purpose built into an air-conditioning system, one could infer it from a careful examination of its behaviors over time. Because there is only a single variable it is designed to control, it is a determinate system.

If more than one variable needs to be controlled, the system will likely not be determinate and it will be more difficult to determine what its nature is. When we turn to the human organism, the situation is even more complex. The nature of the system evolves over time as it responds to inputs or solves its problems. And it differs to some extent from individual to individual.

Human systems do not start from identical natures. For instance, we know that the mating behaviors of some animals shift with alternative placement of a single gene within a chromosome. It is likely, even if not yet proven, that differences in such placements or in early environments may make more likely important differences in the behavior of particular humans in a variety of situations. Furthermore, selection for eufunctional characteristics within societies may lead to drift with respect to the distribution of characteristics in societies.

It is likely that human nature at least partly incorporates what is good for others into what is good for the self. Such relatively weak creatures as humans could not have survived in the absence of group protection and extended nurture. Except for sociopaths, altruism and a need for love are embedded in individual human natures by natural selection. How they are embedded is variable with individual and social development. How they are expressed depends upon the milieus in which they are exhibited. But they are the foundation of moral concern by moving the individual past an exclusive concern with self-interest and advantage.

## IX

*The Test In Principle.* Judgments of what is good are related to context and the meanings of morally relevant concepts. However,



they should not be judged by particular contexts but in terms of the congeries of contexts that are relevant to moral choice and of the understandings of moral concepts in these different contexts.

The father who kills a daughter who has been raped in fact may have made a morally rational choice in his society. However, if he ignores an evaluation of the moral norms of his society in comparison with the norms of other societies, he has failed to explore his moral responsibility. He is not in a position to justify that moral choice except in terms of local doctrine and circumstances. The test in principle incorporates the contextual elements that would go into comprehensive moral analysis.

The elements of the test in principle are sketched below. Because these elements invoke dense comparative analysis, an attempt to apply them in this article would be impracticable.

The test in principle<sup>17</sup> provides a framework for relating moral judgments to contextual factors including nature, society, the economy, and individual role. It tells the evaluator to ask how he or she would respond to moral questions in different systems, different social and material contexts, different roles, and different patterns of obligation. One could then evaluate the distribution of rewards and punishments each type of system produces in its contexts, the kinds of people and relationships that result (what it means to be human), and the reasons for the judgments. These judgments evolve with an increasing diversification of contexts.

Personal moral decisions within systems would be responsive to a dense web of contextual considerations. However, the individual should take into account how she or he would evaluate a decision if in other roles or in other circumstances. Although the human ability to do this imaginatively is limited, an attempt to do so in situations that do not call for immediate response would be understood to be a moral requirement by those who are empathic humans.

Empathic individuals would not ignore their individual or local needs or duties but they would take their obligations to others and to society into account. For instance, a system that depressed the capability of most humans to develop and to use their intellectual and

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<sup>17</sup> For discussions of the test in principle, see Kaplan, *Macropolitics: Selected Essays on the Philosophy and Science of Politics* (Chicago: Aldine Publishing Company, 1969), 36–45; Kaplan, *Justice, Human Nature, and Political Obligation*, 174–81; and Kaplan, *Science, Language, and the Human Condition*, 250–79.



aesthetic potentialities would have a high hurdle to pass with respect to its justification. Empathic individuals who carried out a test in principle would respect the sacrifices of those who came before them and would accept some responsibility for the world they leave to others.

Although the test in principle does not produce a univocal ordering even when, or especially when, all relevant contexts are taken into account, it permits more nuanced and mutually understandable moral judgments than do other theories of moral life. In addition to a common, although evolving, personal, natural, and social multiverse it can produce a common, even if not uniform or conflictless, moral multiverse, albeit one different from its Greek analogue.

In this world, it is possible to understand the reasons for conflict even if the interests that underlie the conflict are not subject to compromise. If they are subject to compromise, it provides a method for attempting to limit the area of disagreement. Furthermore, the test in principle provides a matrix from which one can assess whether it is desirable in the personal and social conditions of time and place to work toward a modification or transformation of the values of one's society. For instance, one of the arguments for same sex unions is that rather than undermining family relationships they will strengthen them. Even if this is correct in some contexts, one must assess whether the attempt to do so will be counterproductive given other conditions of the society.

Such assessments involve much speculation. Even so, they invoke a common world of reason. Just as in the case of whether some dinosaurs were ectotherms or endotherms, the indeterminacy of the conflicting assessments in time and place does not invalidate the commonality of the world in which the judgments are made. However, the indeterminacy of such judgments requires the analyst, if not necessarily the participants in the process, prudently to respect that indeterminacy.

*University of Chicago*



## BOOK REVIEWS

### SUMMARIES AND COMMENTS\*

#### THERESE SCARPELLI AND STAFF

BATTIN, Margaret Pabst. *Ending Life: Ethics and the Way We Die*. New York: Oxford University Press, 2005. 344 pp. Cloth, \$24.95—Animated, inventive, and pleasurable reading is not what ordinarily comes to mind when one thinks of a collection of writings on the subjects of death, dying, and euthanasia, yet even readers without a morbid curiosity will find that Margaret Pabst Battin's *Ending Life: Ethics and the Way We Die* fits this bill. Through cross-cultural studies, fiction, creative non-fiction, historical analysis, and more traditional analytical arguments, Battin explores every imaginable facet of death and dying—from suicide bombing and faith healing to euthanizing laboratory animals and the latest in do-it-yourself suicide kits—with the kind of charming and graceful prose that is usually reserved for more cheery subjects.

The seventeen previously published (and in some cases, updated and revised) pieces that make up *Ending Life* have, as Battin explains, five purposes: “to challenge assumptions about how we can and should die; to illuminate the structure of arguments for and against physician-assisted dying; to explore the morality of suicide . . . ; to speculate a bit about how the future might look and what we should be prepared for; and to look for possibilities of resolution in these ancient, yet new, debates” (p. 7).

In regard to the second and third purposes—the familiar landscape of the euthanasia debate—Battin argues that the clash between defenders and opponents of voluntary euthanasia is ultimately one between autonomy and mercy, on the one hand, and slippery slope arguments, on the other. A vigorous defender of physician-assisted suicide, she claims that autonomy and mercy are “basic moral principles . . . acknowledged by all parties, including physicians, patients, and observers (both opponents and proponents of physician-assisted suicide)” (p. 96), whereas slippery slope arguments are based not on principle but on speculation about the future, always a shaky endeavor.

Autonomy, in particular, is the philosophical backbone of Battin's advocacy for physician-assisted suicide, and many of the articles in the collection are aimed at championing this principle, as well as exposing possible threats to it. The novella “Robeck,” a richly crafted portrait of a

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\*Books received are acknowledged in this section by a brief resume, report, or criticism. Such acknowledgement does not preclude a more detailed examination in a subsequent Critical Study. From time to time, technical books dealing with such fields as mathematics, physics, anthropology, and the social sciences will be reviewed in this section, if it is thought that they might be of special interest to philosophers.



noble elderly woman who is further ennobled by her stoic resolve to die on her own terms, is a literary anthem to self-determination. "High Risk Religion" explores the ways in which various unconventional religious groups, such as Christian Scientists and the serpent-handling Holiness churches of West Virginia, inhibit informed consent in their members. "Going Early, Going Late" provides a "rational structure" for end-of-life choices, that is, a set of guidelines or questions to follow to insure that the autonomy of dying patients is maximized. Other articles, such as "Euthanasia: The Way We Do It, the Way They Do It" and "Euthanasia and Physician-Assisted Suicide" are, at least in part, concerned with dispelling worries that voluntary euthanasia will lead to involuntary euthanasia—a clear violation of autonomy—or the corruption of medicine in general.

Where Battin truly flourishes, however, and where she makes her most significant and original contribution to this debate is in seeking middle ground in this increasingly polarizing dispute. In a brief but important article "Empirical Research in Bioethics," Battin advocates what she calls "oppositional collaboration." If bioethicists resolved to conduct field research with colleagues from the opposite side of the ideological spectrum, then the possibility for genuine dialogue between the combatants in this contentious debate would certainly increase. Of her own oppositional collaboration with a Catholic nun, Sister Corrine Bayley, Battin writes: "[W]e both stopped making unsupportable claims, both quit arguing only one side of the case, and both stopped insisting that the issues were 'clear' or 'obvious' or straightforward . . ." (p. 320). In a similar spirit, Battin offers a twofold proposal for resolving the current American dispute over physician-assisted suicide: First, the development of "personal end-of-life policies" which, as opposed to advance directives that are usually narrow and rigidly defined, provide a broader picture of a patient's deepest ethical and religious commitments for possible proxy decision-making, and second, the establishment of a "national 'default' disposition" for difficult cases in which no previous instructions have been given—"it is what you get if you do not choose something else" (p. 40). More generally, though, her most effective weapon for reconciling the two sides is her seemingly inexhaustible knowledge of non-American approaches to death and dying, both present and past, which is on display throughout this collection; exposure to such diverse approaches cannot help but broaden the perspective of the narrow-minded ideologue.

Readers who suspect that biomedical ethics is a field trapped within a Kantian/utilitarian framework and is fundamentally accommodationist in spirit will not feel much differently after reading *Ending Life*. And though Battin identifies the "Stoic/Christian divide" (p. 6) as the central rift in the euthanasia debate, there is little genuine or sustained engagement with the Christian side, while tributes to self-determination resound on nearly every page. Nonetheless, within this framework, it is hard to imagine an author more familiar with the terrain of the euthanasia landscape, as well as with the issues of death and dying more generally, than Battin. In short, few philosophers have sufficient command of the data, the arguments, or even the English language to pull off what she does in these selections.—Andrew Peach, *Providence College*.



BERNARDETE, Seth. *Achilles and Hector: The Homeric Hero*. Ronna Burger, editor. Preface by Michael Davis. South Bend: St. Augustine's Press, 2005. xxi + 140 pp. Cloth, \$17.00. Paper, \$10.00—At the age of twenty-five Seth Benardete presented his Ph.D. dissertation on Homer's *Iliad* to his committee at the University of Chicago. That dissertation has now been published posthumously as a book under its original title—*Achilles and Hector: The Homeric Hero*. This is only fitting, since the work exceeds in a startling way all measures established for the assessment of the performance of doctoral candidates. It is, in fact, the first fruit of a mind of extraordinary power, capable of producing, at an age when most are idle or halting, an indispensable guide to Homer's craft and thought. In the broad field of Homer scholarship it finds its match only in the study of the *Odyssey* that the same author completed in the last years of his life.

According to the young Benardete, Homer's work is structured around two central themes: the true character of heroic virtue and the nature of the difference between the virtue of the hero or "real man" (*aner*) and that of a human being (*anthropos*) in the proper or "absolute" sense (pp. 16–17). Homer uncovers the former through displaying the identity of Achilles and Hector and the latter through articulating the difference between Achilles and Odysseus.

As Benardete shows, the heroes of the *Iliad* live in the light of the distinction between *andres* and *anthropoi* (pp. 11–17). This distinction is dependent upon the intimacy which the heroes enjoy with the gods. They are their off-spring and special care: the gods' providence extends really only to the hero and only to the hero at war; mere human beings are left to the vicissitudes of chance (pp. 15, 77–84). This providence, however, is the ground of what Benardete calls "the paradox of heroic virtue" (p. 77): on the one hand, the providence of the gods supports heroic virtue—through the beautification of their deaths and the moral limits they set on their conduct in battle, the gods prevent the "great-spiritedness" of the heroes from degenerating into bestial cruelty and bloodthirstiness (pp. 81, 45–46); on the other hand, their intervention in the combat nullifies the operations of heroic virtue and substitutes for it something that is indistinguishable from chance (pp. 77–88). The presence of the gods makes possible and impossible the manifestation heroic virtue.

The solution to this impasse, Benardete understands Homer to suggest (Books V–VII), appears when the gods retreat and the principle of the war is displaced from that of justice to the pursuit of immortal fame (pp. 85–88). Fame, as the object of the heroes' ambition, serves, as did the presence of the gods, to beautify the heroes' death and ennoble their bloody contest, but also allows, as the presence of the gods did not, for the means to that beauty and nobility to be the actions of the heroes themselves, unobscured by divine interference. Hector embodies this desire for immortal fame at its maximum (p. 85).

Achilles, however, remains the fly in the ointment. For, though his retreat from the war parallels the retreat of the gods and likewise makes possible the manifestation of "the worth of each hero," the cause of his retreat is the principle of justice (pp. 93, 96): he claims rightful ascen-



dancy over Agamemnon's ancestral authority on the basis of his natural power and pre-eminence—"the right of natural right" (pp. 29-34, 135). On this basis, Achilles rejects the plea of the embassy of the Achaeans that he reenter the war. Untempted by fame, he insists that his virtue is honored not by men, but by Zeus, and not in its performance, but in its divine "absoluteness" (pp. 97-98). Through Achilles' insistence that he is honored as a god, Homer shows the ambition of all heroic virtue: the attempt to leave behind humanity in the ascent to divinity (pp. 65, 75-76). The whole of the *Iliad* is an "experiment in immortality" (pp. 72, 105) that displays the tragic consequences of this ambition.

Benardete shows how the progressive isolation of the hero on the way to divinity coincides with the sloughing off of the constraints of "civil shame" or the "concern with those weaker than oneself" (pp. 100-1). This abandonment of shame, however, results not in the hero's ascent beyond the human, but his descent into the sub-human monstrosity of the Cyclopes. Both Achilles and Polyphemus are without mercy and both "consult only their *thymos*." "Polyphemus is . . . the brute perfection of Achilles, Achilles without weakness, without Patroclus" (pp. 101-2). Patroclus proves to be the last tie to humanity that Achilles cannot break and that ultimately returns him from the monstrous to civil shame and humanity, though only after his own anger has effectively destroyed him (pp. 113-14).

It would appear then that Hector—"a civil Achilles, an Achilles who has not lost his . . . shame" (p. 101)—embodies the solution to the problem of Achilles and thus the truth of heroic virtue. In one of the most brilliant turns in the argument of the book, however, Benardete shows how Hector's civil shame proves to be the ground of his ultimate identity with Achilles. It is this shame which, during the Trojan rout before Achilles' onslaught, makes it impossible for him to return to the city and face the ridicule of the men of Troy. It compels him to stand his ground and face death at Achilles' hands, a death which, though guaranteeing his own immortal fame, seals the doom of his city and condemns his own "Patroclus" (his wife Andromache) to slavery. Hector's shame and his thirst for immortal fame combine to cut his ties to the human with an even more effective ruthlessness than his nemesis and counterpart. Achilles and Hector are one in their Cyclopean isolation, and heroic virtue is identical to bestial vice (pp. 121-4).

The hero's ambition to become a god, according to Benardete, culminates not only in the bestial, but in the will to be a thing (pp. 51, 55-7, 113-14). The identity of arms and the man that heroic virtue posits (pp. 40-3) entails the desire to become an artifact of Hephaestus. For Homer, however, Hephaestus is not only the divine blacksmith; he is another name for fire, and fire is that to which, in their wrath (*thymos*), Achilles and Hector are most often compared (p. 61). "The heroes burn with [Hephaestus'] fire as they wield his weapons . . . To be his work and to work with his fire would seem to be the aim of heroic virtue" (p. 62).

In this aspiration to the artificial and elemental, Achilles becomes "as anonymous as Odysseus" (pp. 51-2, 119-20). But Achilles anonymity is of a wholly different order than that of Odysseus: it is the mindless anonymity of a self-canceling *thymos*, aspiring to a solitude so perfect that it aims to role up the past in order to free itself from the determinations



of its origins (pp. 64–5). The “namelessness” of Odysseus—he is “no-one” as he cunningly declares to Polyphemus in plotting his escape from the Cyclopes’ cave—is the sign of his liberation from the determinations of the ancestral not in deed, but in speech and thought: it is the anonymity of mind (pp. 30–1). The anonymity of mind proves to be the truth of the aspirations of heroic virtue. But the excellence of Odysseus does not belong to the same world as that of Achilles and the heroes (p. 16). Though Achilles virtue is superior to, as encompassing of all the virtues of the other heroes, no separate measure is required to make clear its supremacy (p. 3). In the case of Odysseus this is not so. He is singular in a way that the hero can never be. He is “an *anthropos* not only as opposed to the gods . . . but absolutely so” (p. 16), and his humanity is exhibited not only in his powers of speech and mind, but in his rejection of the goal toward which all heroic virtue is poised: he chooses mortality over immortality—to be a human being rather than a thing (p. 67).—Steven Berg, *Bellarmino University*.

BERKOWITZ, Roger. *The Gift of Science: Leibniz and the Modern Legal Tradition*. Cambridge, MA: Harvard University Press, 2005. xviii + 214 pp. Cloth, \$49.95—Animating Berkowitz’s book is his profound concern that law has abandoned justice as its fundamental aspiration. Once the embodiment of humanity’s highest moral ideals, the law has become a mere tool for the pursuit of social and economic interests. This insightful and provocative history of modern legal science aims to explain how this fundamental change in the nature of law occurred. Berkowitz argues that this transformation was ultimately the result of Leibniz’s attempt to save law from a crisis of authority by bringing it within the scope of his scientific metaphysics. But Leibniz’s “gift of science” to law was bittersweet. Rather than strengthening the bond between law and justice as he had intended, the scientific approach to law that Leibniz initiated has led to the near extinction of justice.

Part I is a welcome addition to the scant English language commentary on Leibniz’s jurisprudence and codification efforts. Berkowitz explains how, as the traditional moral authority of law waned in the seventeenth century, Leibniz sought to preserve law’s power by embracing a scientific approach to natural law (*ius*). The governing principle of Leibniz’s scientific metaphysics was, of course, the principle of sufficient reason—nothing is without reason. As an object of scientific understanding, law too must have reason to be. At the core of Part I is Berkowitz’s claim that Leibniz’s introduction of the principle of sufficient reason into jurisprudence initiated a fundamental shift in the nature of legal inquiry from a knowing of law itself to a knowing of the reasons for law. Leibniz’s legal science made law subordinate to its rationalization; law came to be a mere instrument serving the ends posited as its justification. While Leibniz remained squarely within the natural law tradition, locating the ultimate source of law in divine wisdom,



his methodological principle cleared the path for future jurists to posit other ends as the grounds of law. That a canonical figure in the natural law tradition should emerge as the founding father of modern legal positivism is the deep historical irony of Berkowitz's narrative.

Leibniz did not live to see the adoption of a systematic, scientific legal code. The Prussian Civil Code of 1794, the *Allgemeines Landrecht* (ALR), was the first of the so-called natural law codes to be adopted. Part II is a study of the ALR and the jurisprudence of its principal architect Carl Gottlieb Svarez. Berkowitz sees the ALR as the world's first positivist legal system and argues that its adoption marks the historical moment when positive *Gesetz* prevailed over natural *Recht*. Where Leibniz sought to ground law in a moral science, the ALR grounded law in an overtly political science and had as its justifying ends the secular demands for order and security. The ALR remained a natural law code only to the extent that the political ends it pursued could be rationally endorsed by everyone.

Part III argues that the German Civil Code of 1900, the *Bürgerliches Gesetzbuch* (BGB), falls squarely within the tradition of modern legal science initiated by Leibniz. Berkowitz links the BGB to Leibniz through the jurisprudence of Friedrich Carl von Savigny, the founder of the German Historical School. Berkowitz claims that Savigny did more to advance German legal codification than did any other nineteenth century jurist. This is a novel thesis, since Savigny's opposition to codification is well known. Berkowitz makes a persuasive case for his claim, arguing that it was possible for the BGB to ground law in social science only after Savigny had succeeded in legitimating his historical-legal science. Though the BGB is a natural development of the tradition of legal science that Berkowitz traces from Leibniz through the ALR to Savigny, it also makes a radical break with this tradition. Where its predecessors sought to know some substantive idea of law (*Recht*)—be it through a scientific knowing of divine wisdom, the rational will of the legislator, or the *Volkswille*—the BGB, in the name of scientific neutrality, sought to know only the formal properties of law itself. By conscious design the BGB aspires to offer a pure technique of law in the service of extra-legal social and economic ends. Hence, the BGB is the culmination of a scientific metaphysics that subordinates law (*Recht*) to whatever ends are posited.

Berkowitz's narrative encourages a new understanding of the nature of modern legal positivism. Having lost its traditional foundations in natural law, religion, and custom, the essence of modern positive law is its need for scientific justification. Berkowitz's account of the transformation of law from a moral entity into a technical object explains why contemporary jurists tend to disregard the ontological question of law—what is law?—and, at the same time, provides an urgent reminder that this question cannot be ignored.—Michael B. Mathias, *Union College*.



COLLINGWOOD, R. G. *An Essay on Philosophical Method*. James Connelly and Giuseppina D'Oro, eds. Oxford: Clarendon Press, 2005. cxxii + 360 pp. Cloth, \$99.00—R. G. Collingwood (1889–1943) continues to have iconic status not only at Oxford but in many parts of the Anglo-European intellectual world. Cardiff hosts a Centre devoted to his work and his place within modern idealist thought. As his influential *The Idea of History* did much to liberate historical scholarship from the grip of descriptivism, so *An Essay on Philosophical Method* provided the conceptual framework within which the special nature of philosophical modes of inquiry and explanation should be understood.

The volume under review here may properly be treated as three books in one, for the editors have taken pains to compose a thoroughly authoritative and illuminating 110 page introduction that could well stand as an monograph in its own right. This is followed by Collingwood's *Essay* (pp. 1–226) published in 1933, and greeted then as now with mixed reviews. Not surprisingly, in light of Collingwood's critique of empiricistic philosophies, A. J. Ayer praised the style of writing but declared the substance to be "mostly obscure" (p. xxxix). Following this, the editors have included Collingwood's "The Metaphysics of F. H. Bradley: An Essay on 'Appearance and Reality,'" composed on Christmas and Boxing days, 1933 (pp. 227–252). The volume concludes with a most informing correspondence with Gilbert Ryle (pp. 252–326) and a Jowett Society essay on "Method and Metaphysics" (pp. 327–355) read in June, 1935. In all, the volume provides deep and broad coverage of Collingwood's mature reflections on the place and the purposes of philosophy within the larger culture of thought.

As this is a new edition of a work that has long been read and admired, the first question a reviewer faces is that of timing. Are there good reasons now to seek to revive interest in Collingwood's conception of philosophy? To this the answer must be an unequivocal "yes," chiefly because of developments over the most recent decades; developments threatening or promising (depending on one's own conception of philosophy) to absorb philosophy into the widening range of the human sciences, and especially the one dubbed "cognitive neuroscience." An age prepared to host something called "neurophilosophy" may be safely classified as one needing a bit of Collingwood on method.

The editors are especially helpful in this connection, in unraveling Collingwood's important distinctions between first-order and second-order forms of knowledge and, thus, modes of inquiry. The physical sciences by their nature include the material world and the accepted scientific approaches to understanding it. The practicing scientist can function productively without explicitly taking a critical position either on the assumptions that ground the very concept of "physicality" or on the received forms of inquiry. The philosopher's task is just this sort of critical inquiry into the foundational assumptions generative of such undertakings. In this, however, the Collingwoodian philosopher is no mere referee or grammarologist, for philosophical method is to be informative. To advance the proposition, "All actions are expressions of thought" (p. civ) is not to make an empirical claim, nor is it to traffic in empty tautologies. It is at once to establish the very point of historical



inquiry and to discover what is at least implicit in historical modes of explanation. Such core concepts as action, mind, matter are metaphysically necessary concepts for, in their absence, the very resources by which disciplines arise and are prosecuted are missing. Clearly, all “reductive” strategies thus have something of a self-destructive and contradictory character. The exchanges with Ryle are very much to this point and, while giving Ryle full marks for his effort to depopulate the Cartesian theater, readers will surely find Collingwood’s rebuttals as powerful as they are now routinely ignored.

Collingwood, through frustrations and illnesses, pressed on with a project that seemed to leave too little room for disciples. He studied Aristotle closely in youth, but rejected the Aristotelian form of naturalism that others were inclined to deploy against idealism. His philosophical method is devoted to the clarification and classification of foundational concepts, but not in a manner that would please analytical philosophers. He was consistent over a course of decades in conferring real and irreducible status on historical and aesthetic phenomena, but he certainly would not qualify as a “realist” in the accepted philosophical sense of the term. Collingwood was *sui generis*, though drawn from a small pool of similarly instructed and engaged intellectuals. His accomplishments would find him elevated to the Waynflete professorship at Oxford and he would be among the last of the “non-professionals” to hold that pretigious chair. Collingwood began his intellectual journey as his father’s son, an archeologist. His mind turned to religion, to questions of faith, belief and truth. He read with conviction and integrity. There is little evidence of his eagerness to please or to join one or another circle or school. The mission of philosophy is that of clarifying those concepts whose justification, such as it is, is found in their success in rendering what we know coherent. He put it most economically this way: “Establishing a proposition in philosophy, then, means not transferring it from the class of things unknown to the class of things known, but making it known in a different and better way.” Thus do aesthetics, ethics and epistemology begin to converge.—Daniel N. Robinson, *Oxford University*.

FELT, James W., S.J. *Human Knowing: A Prelude to Metaphysics*. Notre Dame: University of Notre Dame Press, 2005. x + 130 pp. Cloth, \$30.00; paper, \$15.00—This short volume offers a primer on the basic problems of epistemology. By way of introducing the novice to the “mysterious” character of human knowing, Felt begins with a critique of contemporary materialism. While granting that “brain activity” may be a necessary condition for consciousness, he maintains that knowing itself cannot be described in purely physiological terms. In a set of arguments aimed at the work of Daniel Dennett, he exposes the characteristic shortcomings of the epistemological reductionism that lies at the heart of the materialist thesis. For one thing, reductionism cannot explain the relational dimension, the “vector quality,” of human knowing; brain ac-



tivity, a process wholly immersed in materiality, cannot make sense of the "otherness" in perception, that knowing gives to the knower "an external object as external and other" (p. 11).

Yet reductionism is not the only danger confronting the contemporary student. In the next chapter, Felt dissects what he calls the "myth of the theater," the epistemological position, associated with modern empiricism, which assumes that what one immediately perceives in experience are not "things" but "sense impressions." According to the myth, perception functions like an internal film screen upon which are projected images that supposedly represent real objects. Felt warns that this "representational theory" can only lead to skepticism. Its proponents set up a "false dichotomy" when speaking of experience: they insist that sense perception either grants one an exhaustive knowledge of the thing as it exists in itself or—failing this—that it delivers mental "pictures" that imperfectly "stand for" a real world. Felt suggests another option. The perceived object is neither a "mere appearance" nor the *Ding an sich* grasped in its absolute independence; rather, it is the "appearing" thing, the "relational" object, understood "in relation to the perceiver within the act of perceiving" (p. 25). In such a "relational realism," Felt notes, the knower has immediate contact with real objects, but the world he encounters is the world as it is related to him, as it affects and moves him. Thus, perception intentionally unites the knower to the known, though it is always limited, "perspectival," in character.

Felt explores the epistemological foundations of relational realism in a later chapter. Drawing from an idea in Whitehead, he distinguishes between two central "modes" of perception encountered within the tradition. "Apparent" perception is the prototypical Humean model in which experience is characterized as an unending stream of isolated, unconnected sense impressions; "fundamental" perception, a "deeper mode," is discovered in the inchoative "feeling" the perceiver has of being influenced by the world. Felt argues that empiricists typically ignore this second, "richer" mode because they lack an adequate understanding of causality. Hume inherited from 17th century science an emaciated view of the cause-effect relation as two separate events succeeding each other in time. What is needed today, Felt claims, is a return to the Aristotelian-Thomistic understanding of the efficient cause as "present" and "active" in the effect itself. This classical model is crucial to the success of relational realism not only because it answers the challenge of Humean skepticism, but because it avoids the idealistic turn, that is, once one admits that the sensed object is "causally operative" upon the perceiver, the extramental existence of the object is automatically guaranteed (p. 44).

Felt includes separate chapters on "intellectual" and "scientific" knowing. Though his chapter on intellection follows a familiar Thomistic path (abstraction, apprehension, and judgment), his analysis of scientific knowing reflects his interest in relational realism: because all knowledge is "perspectival," modern science carries its own "discovery structure" (a set of "interpretive anticipations" that it brings to the analysis of data) and thus operates with a "deliberate narrowness of interest" (p. 81).



In the final chapters, Felt presents an apologia for philosophic knowing. He includes a sketch of four philosophers, though his chief task here is to answer the standard objections to the possibility of doing metaphysics. Unlike the particular sciences, metaphysics, in the pursuit of "being as such," possesses the "widest possible discovery structure and widest possible horizon" (p. 108). Given the transcendental reach of his formal object, the metaphysician must make every effort to construct flexible "conceptual frameworks" within which to articulate the essential features of being. At any rate, the opponents of classical metaphysics can be answered: Hume's empiricism not only neglects the "sense of causal influence" in perception, it misunderstands the nature of ideas; the logical positivists harbor an unverifiable principle of verification and a "narrow conception of meaning"; and Wittgenstein's reduction of philosophy to language-games is ultimately a surrender to the tyranny of ordinary language.

Though philosophical purists might squawk a bit at its marriage of Thomism and process philosophy, this is an engaging work—bright, readable, and tightly argued. It should serve as a fine undergraduate introduction to epistemology.—William Haggerty, *Gannon University*.

FLYNN, Thomas R. *Sartre, Foucault and Historical Reason, Volume Two: A Poststructuralist Mapping of History*. Chicago: The University of Chicago Press, 2005. 360 pp. Paper, \$25.00—Flynn's two-volume study asks whether it is possible to think, despite their antagonism, a "postmodern" Sartre and an "existentialist" Foucault (x–xi). The second volume focuses on Foucault's "poststructuralist mapping of history." Though it is a sequel to the analysis of Sartre's "existential theory of history" this volume stands alone.

Flynn's most original contribution is his "axial" reading of Foucault's work. Flynn derives his axial reading from Foucault's own approach to history and the problem of experience. As is common practice, Flynn divides Foucault's oeuvre into three chronological periods (16–30). Thus Foucault's path begins in the archaeological period, which focused on the analysis of discourse, statements, epistemes, and the historical a priori of knowledge; then turns towards the genealogical period, which took up the study of dispositifs of power relations and modes of control or governmentality; and lastly enters the period of problematization, which studied the way practices of self-constitution or subjectivation are historically problematized. Flynn, unlike many of Foucault's interpreters, however, refuses to think of these three periods as an evolutionary or dialectical progression. When interpreters try to come to terms with the whole of Foucault's thought they often argue that Foucault's later methods represent attempts to correct the errors or shortcomings of his earlier methods (a notable exception is James Bernauer, *Michel Foucault's Force of Flight: Toward an Ethics of Thought*). But, such approaches are not very Foucauldian. They follow all of the methodological protocols and assumptions of the traditional history of ideas



that Foucault rejected (6–13). Furthermore, far from abandoning his earlier works, methods and insights, as if they were flawed or aborted projects, in his later periods Foucault continued to employ all the methodological tools he had created along the way. As Flynn makes clear, for Foucault archaeology, genealogy and problematization together form the three sets of methodological approaches needed to analyze an “experience” (144–147). An experience is constituted along three “axes”: knowledge, power, and subjectivation. For each axis there is a proper method of analysis: archaeology, genealogy and problematization, respectively. Flynn calls this the “Foucauldian triangle” (147). In other words, if one were to picture knowledge, power, and subjectivation as three points connected by three lines forming a triangle, then experience would be the space enclosed within that triangle. The analysis of all three axes at any given period in history gives one the “matrices” of the experience of that historical period. Flynn employs the spatial metaphor of the prism to depict history as a sequence of such experiences. History can be read along any one of its three axes or it can be cut into periods to reveal the series of experiences, each one being a “traverse slice of a prism” (172). Flynn’s axial reading of Foucault is meant, then, to mirror Foucault’s axial reading of history.

Given the spatial simultaneity of the three axes, Flynn argues that one is permitted to read each of Foucault’s works, no matter which period it comes from, along any of the three axes. In fact, such an approach is necessary to understand Foucault’s project. “Dialectical” readings that see Foucault’s work in some sort of developmental succession neglect the presence of all three axes in each work and result in misunderstandings and misplaced criticism. Flynn bears out his claim by offering compelling and highly illuminating “axial readings” of many of Foucault’s major works. He demonstrates the presence of the problem of subjectivity and power even in the works of the archaeological period, as well as the persistence of the axes of discourse and power in the final period of problematization. This approach also respects and clarifies Foucault’s historical nominalism (32–46). The three axes of experience are not transcendental conditions of possibility, nor are they substances, rather they are historically singular practices and relations. For example, the axis of subjectivity does not refer to a transcendental subject, but rather to the historically concrete practices of self-constitution or subjectivation integral to a historically singular form of experience.

Flynn’s reading of Foucault is couched in a comparative study of Foucault and Sartre that sheds light on the thought of each and the complex relation between the two (see especially part 3: chapters 8–12). Thanks to the polemical nature of their relationship, the real differences and the surprising commonalities in their thought have been neglected. In the end we do not discover a fully post-modern Sartre and existentialist Foucault. Nevertheless, the dialogue Flynn establishes between their respective theories brings fresh insight to a number of problems—such as, experience, violence, power, authenticity, subjectivity—essential not only to their work but to the whole trajectory of twentieth century French philosophy. While it draws on an extraordinary range of scholarship and is a subtle and sophisticated analysis of Foucault (and



Sartre), Flynn's exemplary clarity, together with his inclusion of an overview of Foucault's works (chapter 1) and a glossary of technical terms (311–315), makes this book accessible to those just beginning their exploration of Foucault's difficult and demanding thought. All in all, this is a magnificent book, an invaluable study of Foucault and a penetrating comparative analysis of two of the most important philosophers of the twentieth century.—Edward McGushin, *Saint Anselm College*.

FRANK, Jill. *A Democracy of Distinction: Aristotle and the Work of Politics*.

Chicago: The University of Chicago Press, 2005. xiii + 199 pp. Cloth, \$49.00; paper, \$19.00—In its attention to virtue and excellence, Aristotle's political thought depends upon distinction and inequality. Defenses of preferential treatment in politics, therefore, can be supported with an Aristotelian discrimination of the virtuous from the rest. These values are not commonly associated with democracy.

Max Weber famously notes democracy's abhorrence of privilege and discrimination, even on the basis of virtue (See "Bureaucracy" in *From Max Weber*, translated and edited by H. H. Gerth and C. Wright Mills, London: Routledge and Kegan Paul, 1948, pp. 224–6). Given this quick differentiation of democratic and Aristotelian values, it appears as though the two would not be congruous. Yet, in her recent book, *A Democracy of Distinction*, Jill Frank argues otherwise. Frank's thesis is novel and controversial, and will, doubtless, spark renewed study and engagement of Aristotle's relevance for contemporary political thought.

Among the numerous debates about Aristotle's work on which Frank weighs in, we find one central interpreter with whom the author disagrees most. According to Frank, Josiah Ober believes "Aristotle is no friend of democracy" (p. 25). In a strict sense, Frank makes clear that Aristotle is no less critical of oligarchy than he is of democracy. And, given that Aristotle is the champion of the mean between vices, Frank places him clearly in the middle of these two positions. He would not advocate just any democracy, since it is especially the virtuous that must lead.

Given his distinctions between the demos, women, slaves, foreigners and citizens, Aristotle's politics requires effort to be set in line with democratic values. To this end, Frank clarifies countless troubles that authors have had with the great philosopher. Frank writes, "[F]or most readers, it is because Aristotle takes the nature of individuals to be essentially and necessarily different from the nature of citizens that they must be excluded from political participation. I disagree" (p. 25). Frank goes on to give a spirited and well supported interpretation and defense of what Aristotle means in his discussions regarding slavery and other outdated social practices. In this vein, Frank's first chapter is dedicated to the "Nature of Identity."



Her subsequent chapters move on to explain the relevance of property and its virtuous use for the good of the constitution. After dealing with property's use, Frank explains the role of justice in relation to property and activity. The demands of justice bring with them the need for laws, which are the subject of her fourth chapter. Finally, given her discussion of the place of law in the various possible constitutions, Frank defends her interpretations of Aristotle on the virtuous democracy or the "democracy of distinction." In this last chapter, Frank returns to her replies to Ober, informed by a meticulously defended case set forth in her masterful exposition and defense of commonly criticized notions in Aristotle's politics.

Frank's work is impressive. Her authority is established firmly in her pervasive references to just the pertinent material. This book is for the advanced students of Aristotle, not for beginners. But, as such, it offers an exceptional resource for Aristotle scholars. Though there are places where the reader will wish for Frank to say more, these areas are not ones that inspire doubt of Frank's mastery of her subject.

Those interested in what Aristotle has to say about human nature will find that Frank's first chapter offers a wonderfully clear characterization of Aristotle's rich and complex conception of humanity. Particularly sensitive issues, such as Aristotle's claims regarding natural slaves, Frank explains in a way that starkly distinguishes Aristotle's views from contemporary notions. At the heart of her defense of Aristotle rests a fruitful quality, much overlooked. For Aristotle, human nature is malleable. For him, the conditions in which various humans flourish are both flexible and changeable. Some flourish in situations of leadership, while others do in states of service. Frank shows that these human qualities are both alterable and unrelated to any particular biological features.

While *A Democracy of Distinction* offers a substantial contribution to scholarship on Aristotle's political thought, Frank's final chapter, "The Polity of Friendship," leaves the reader wanting more. Her argument throughout the book demands the progressive and meaty chapters which precede her concluding one. Arrival at this final chapter, however, leaves one hoping for reflection on the bigger picture of how this contribution to Aristotle scholarship fits into contemporary political philosophy as a whole. Frank has indeed established herself as an impressive authority on Aristotle and political thought. What may be called for now is simply a more conversational piece in which this great scholar tells us where to put these exceedingly practical ideas to use.—Eric Thomas Weber, *Southern Illinois University*.

FRONTEROTTA, Francesco and LESZL, Walter, editors. *Eidos-Idea: Platone, Aristotele e la Tradizione Platonica*. Sankt Augustin: Academia Verlag, 2005. xxx + 278 pp. Hardbound, \$58.50—Efforts to comprehend Plato unmediated by later readers' concerns may remind one of the



*Prolegomena to the Philosophy of Plato*, likely authored by a successor of Olympiodorus in the second half of the sixth century, which offers the enigmatic observation that Plato "placed the ideas within the exemplary cause . . . beyond the efficient cause" (Paris: Les Belles Lettres, 1990, p. 9). In contrast, these thirteen studies in Italian that critically examine commentators from Antiquity forward are for those initiated in Plato.

They are preceded by W. Leszl's lengthy introduction that reveals Plato's "theory [to be] too rich and complex to be reduced to any formula, however well contrived" (p. xxix). M. Baltes and M. L. Lakmann follow with an historical overview of the doctrine of Ideas that departs from philological considerations to subsequently present major figures influenced by Plato, from the ancient Academy through the Imperial era to Philo and Christian speculators such as Justin, Tertullian, Irenaeus, Athenagoras, Origin, Clement of Alexandria, and Augustine (pp. 1–23).

Five essays focus on Plato's Dialogues. Each navigates between L. Robin's insistence that one can comprehend Plato on the Ideas from Aristotle's testimony, and H. Cherniss' position that the latter deliberately misinterpreted the former. L. Brisson explores explanations of the participation of sensibles in the intelligible as deficient images of exemplars, through the critique in the *Parmenides*, and the proposal of an ordered semblance realized by the Demiurge's utilization of mathematics in the *Timaeus*, to illustrate how each implies "logical and epistemological" questions about the "constitution of changing sensible things" (p. 36). W. Leszl insists that Aristotle's testimonies in the *Metaphysics* (1.6; 13.4) concerning Plato's supposed "Heraclitism" are exaggerated, and that an examination of Plato's distinction between *episteme* and *doxa* reveals Aristotle's understanding of the former, particularly in the *Second Analytics*, to "not coincide fully with Plato's" (pp. 43, 45). Thus, how Plato tempers skepticism and places soul at the center of cognition precludes projection of a "simple ontological dualism" into Plato's doctrines instead of a "contraposition between reality and appearances" (p. 74).

This is reinforced in J. F. Pradeau's presentation of Plato's texts in which *eidos* appears ambivalently, or in reference to intelligible form, species, or figure, to support his insistence that Plato "did not wish, it seems, to separate intelligible reality from its form" (p. 78, notes 10–22; p. 89). G. Sillitti's revisiting of the *Republic* complements this by exploring parallels between Plato's confirmations that "virtue has an ample range of significations not reducible to the moral order" and that "the Good is not substance," along with implications for Plato's understanding of dialectic (pp. 93, 98, 100–1). The final study in this group is D. O'Brien's on non-being. His exacting exegesis of the *Parmenides* challenges misreadings of the "paths," and reveals that "the phrase 'what is not, is' has three distinct meanings in Plato's dialogues" (p. 145). He further demonstrates that Plato's Eleatic Stranger has been misconstrued by Simplicius in his citations of the Sophist in his commentary on Aristotle's *Physics* where he "renders the Platonic definition of non-being as compatible with the very different conception of non-being advanced by Plotinus in the *Enneads*" (p. 115). Thus the Stranger no longer says that "the non-being which is not the contrary of being, but which is other



than being," is the "part of otherness that is opposed to the being of each thing," but rather that it is the "part of otherness that is opposed to each being" (pp. 150–159).

The penultimate group of five essays concerning Aristotle's explanations of Plato begins with B. Centrone who examines Plato's notion of *holon*, particularly in the *Theaetetus*, and argues that Plato considered such "a unique *eidos* constituted of parts but diverse in being" as opposed to "identical to all its parts," thus avoiding certain problems in predication. (pp. 105, 114) M. Isnardi Parente examines interpretations of the *eide* proposed in the Ancient Academy, especially by Speusippus and Xenocrates, who served as sources for Aristotle's depictions of the Ideas, and emphasizes that Aristotle in the *Metaphysics* (1080a1–1080b21) not only confronted the doctrine mainly in terms of its "pure state" as presented in the *Phaedo*, but arguably attributed problems to Plato mediated by explanations of Xenocrates (pp. 168, 164). F. Fronterotta gathers Aristotle's pertinent texts and explains why Alcinous' "Aristotelizing Platonism" is mainly a "syncretism" of both thinkers (p. 186, 187, n. 44). Departing from the *Sophistical Refutations* (178b–179a), M. Mariani focuses on Aristotle's confrontation of predication in the "third man" problem, agreeing in part with G. Fine that Aristotle in the *Topics* insists that Platonic separation implies "strict autopredication" of the Ideas (p. 208, n. 29). C. Cerami further examines Aristotle's development in *Metaphysics* 7.8, in which "form and matter are respectively *toinde* and *tode* only when considered within the whole of which they are constituent principles" (p. 212).

The collection ends with two studies on Middle Platonism, with F. Ferrari surveying exegesis of the *Timeus* from Alcinous and Antiochus to Numenius, in which subordination of the Ideas to demiurgical Intellect is mainly portrayed in terms of two principal causes, the God as efficient and paradigmatic cause, and matter (p. 245). A. Linguisti's essay details Plotinus' central considerations of the Ideas as contrasted with Iamblichus, Syrianus, Proclus and Damascius, and ends with Proclus' insistence (In *Parmenides*, IV, 910, 24–34) that not only did Plato elaborate formal-paradigmatic, efficient, and final causality better than Aristotle, but he did such first, thus closing a collection that testifies to ongoing refinements in the comprehension of Plato, as well as increased attention to Anglo-American scholarship.—Michael Ewbank, *Logos Institute*.

GROTH, Miles. *Translating Heidegger*. Contemporary Studies in Philosophy and the Human Sciences. New York: Humanity Books, 2004. 314 pp. Hard Cover, \$60.00—Miles Groth's study, *Translating Heidegger*, is guided by the following insight: "[F]or Heidegger, philosophizing is translating. Conversely, translation is philosophical activity par excellence. [ . . . ], translation is the as yet unacknowledged heart of Heidegger's thought" (pp. 108–109).



To make this case, the author pursues a twofold task. First, he proffers an extended criticism of the early stages of Heidegger's reception in an Anglophone context, from 1929 to 1949. This effort aims at undoing several persistent misconceptions about the purported resistance of Heidegger's writings to being rendered in English in a way that is both accessible to the reader and "faithful" (pp. 119, 149) to the original. Second, the theme of faithful translation, in the sense of being true to the "fundamental words" (*Grundworte*) (18, 23, 99, 104, and especially 136) of a text is related to Heidegger's central tenet that "[t]ranslation is always interpretation (*Auslegung*)," featured prominently, for example, in his 1931–32 lecture course "The Essence of Truth" (compare to pp. 125–126). Such a *Leitmotiv* (p. 126), Groth suggests, may point us to recovering a novel form of "translation hermeneutics" (p. 189, note 6) which has been passed over by contemporary Heidegger scholarship. These two complementary tasks, then, are reflected in the organization of *Translating Heidegger*, which is laid out in two parts, comprising two chapters each.

Chapter One opens with an examination of Gilbert Ryle's "momentous distortions" (p. 33) in his 1929 review of *Sein und Zeit*. Proceeding to inspect the special role of German émigrés in these early trials of opening up Heidegger's language, Groth recognizes the acumen of Karl Löwith, who spoke of Heidegger's "grammatical thinking, [ . . . ] the peculiarity of which stamps the words of everyday speech, denoting a quality of time [ . . . ] into philosophical terms" (p. 43). However, the author remains reserved toward what he perceives as Löwith's tendency to theologize Heidegger's mode of expression (compare to p. 45).

Similarly, Groth detects an "essential error in [Hannah] Arendt's interpretation," which relates to the "critical difficulty [ . . . ] [of] how to render the word *Existenz*" (p. 51). He quickly concludes that "the meaning of *Existenz* for Heidegger has nothing in common with Jaspers's term *Existenzphilosophie* but the grapheme" (p. 52). Arguably, such claims about the incompatibility of Jaspers and Heidegger, and about Arendt's supposed misunderstanding thereof, ought to be addressed separately.

In Chapter Two, Groth turns to the first English translation of four of Heidegger's texts, published as *Existence and Being* (1949) under the editorship of Werner Brock (pp. 98 and following). This anthology is judged largely to mirror the distorting effects of earlier (mis)translations, especially with respect to the extensive introductory material provided by the editor and his sketch of Heidegger's opus magnum. "The synopsis of *Sein und Zeit* and the four essays founders on the mistranslation of Heidegger's four early fundamental words—*Sein*, *Seiende*, *Dasein*, and *Existenz* [ . . . ]" (p. 99). Despite this "tradition" of translation failures, which have not begun to be remedied until "the mid-80s" (p. 104), Groth aligns himself with John Macquarrie (p. 84, note 26; compare to note 21) to propose that "the language he [Heidegger] used to express his thought does not stand in the way of access to it. It is, in fact, accessible by a different approach to translation, which Heidegger himself provides" (p. 104).

Moving into Part Two, Chapter Three elaborates the aforementioned notion of faithful translation in programmatic detail. Expanding on the distinction between terms [*Wörter*] and words [*Worte*] (pp. 119, 137,



147), Heidegger's approach is characterized thus: "Unlike terms, words are not units of exchange. [ . . . ] For Heidegger words are not primarily related to other words but to experiences of thinking" (p. 119). This leads to the theoretical centerpiece of Groth's analysis, his account of Heidegger's paratactic method for translation. "Methodologically, translating a group of words [ . . . ] begins by delineating the paratactic structure of the word group. [ . . . ], in order to reveal the traces of thinking it bears" (p. 150).

In Chapter Four, the method's concrete workings are demonstrated, showing how Heidegger discusses Parmenides' Fragment VI. It is worth noting that this last chapter, which is followed by a complete research bibliography of English translations of Heidegger, offers more than just an "instance of application" or case study. Rather, in these concluding pages, Groth also intimates how Heidegger's fundamental words resonate with the existential conceptions of gathering and guarding (p. 176). In this vein, Groth's observations about Heidegger's understanding of *in Acht nehmen* (taking into consideration, taking to heart) (p. 176) just as his preceding remarks about the "enharmonic" element (p. 170, compare to p. 129) of Heideggerian translation theory are characteristic of this book's original contributions to Heidegger studies and the philosophy of language.—Markus Weidler, *University of Auckland*.

GUYER, Paul. *Kant's System of Nature and Freedom: Selected Essays*. Oxford: Clarendon Press, 2005. vi + 384pp. Hardcover \$99.00; Paper \$35.00—The essays in this collection exemplify what an impeccable command of texts together with unfailing philosophical insight can achieve in doing history of philosophy. They reaffirm Guyer's place as the preeminent figure in contemporary Kant studies. The essays in Part I investigate Kant's views concerning the systematicity of nature. The first three essays consider in particular the idea of empirical laws all coming under a system of laws. Guyer notes that this systematic unity which Kant attributed to Reason in the first Critique is attributed to reflective judgment in the third Critique, where Guyer finds the argument that particular empirical laws as laws must be necessarily true, and that our only grasp of such necessity is given by the regulative principle that particular laws together form a system ultimately as though an understanding (though not ours) has devised all laws from basic principles. If so, it is not only our ability to discover particular laws, but the very existence of such laws that presupposes the regulative principle of systematic unity. Since the existence of laws is constitutive of the possibility of experience, the line between regulative and constitutive principles has been blurred if not eliminated, and that is Guyer's point. The idea that particular empirical laws are necessarily true can, I believe, find support in the Kripke-Putnam view of natural kinds. The last two essays of Part I concern, respectively, the unity of all matter in motion under the



concept of the ether in the *Opus Postumum* and the unity of inorganic matter and living organisms in the *Critique of Judgment*.

The essays in Part II concern the systematic unity of freedom and happiness under the moral law. The first three of the essays (6–8) set out the foundations of Kant's moral view. According to Guyer, human freedom, understood as the capacity by reason to set particular ends, is the non-contingent value or end that can support a categorical imperative. The imperative, to treat humanity (the capacity to set ends) in ourselves and others as an end, then systematizes (and maximizes) freedom for all. Since helping others to realize their ends is inseparable from valuing their capacity to set ends, the happiness of others and ourselves, at least in so far as it is consonant with the maximization of freedom in setting ends, is also an absolute moral value. Thus, bringing about a systematic unity of universal freedom with suitable happiness (that is, the highest good) is our duty. The last two essays of Part II derive Kant's doctrine of rights (coercible duties), his doctrine of virtues, and a systematic ordering of grounds of obligation from the single principle of the systematic unity of freedom for all. Despite the impressive and even elegant unity of Guyer's presentation, there may be a problem. If freedom of choice is an absolute value, then if I choose to steal or to break a promise (that is, to set that as my particular end) this at least has *prima facie* value and is only trumped by its eliminating more freedom than it exercises. But then we would have to say that it is unfortunate that such an exercise of my free choice (worthy in itself of respect) cannot be incorporated. What has gone wrong, I think, is that for Kant it is only free autonomous choice that is a value, and only choice consistent with universal law is autonomous. Setting particular ends *per se* is heteronomous freedom, only worthy of respect as derived from universal will (autonomy).

The essays in Part III concern the systematic unity of nature with freedom. According to Guyer, morality requires the promotion of humanity as freely setting ends. Thus it involves promoting the realization of those ends, or promoting happiness. The object or end of morality then includes promoting the happiness as well as the freedom of all (the highest good). But if this is the object of our duty then it must be possible to realize it, and so possible for nature (where our duty acts) to proceed in accord with the highest good. The systematic unity of nature with the highest good is thus a practical postulate required to make sense of our free, moral conduct. Further, as Guyer expounds Kant, organized beings in nature can only be understood in terms of a purposive intelligent designer. The unity of regulative reason then leads to the idea of all of nature being understood in these terms. But if there is purposive design there must be a final and absolute end, and the only such end we can understand is our own humanity as freely setting ends. Once again then we are led to the idea that all of nature proceeds in accord with our humanity, only this time it is a regulative principle of theoretical inquiry. My basic problem with this line of argument is that it seems to me that the object of our duty is not the highest good *simpliciter*, but rather the highest good to whatever extent happens to be empirically possible in nature, in which case no purposive alignment of nature with our human-



ity is required even as a practical postulate.—Arthur Melnick, *University of Illinois, Urbana*.

HILL, R. Kevin. *Nietzsche's Critiques: The Kantian Foundations of his Thought*. Oxford: Oxford University Press, 2003. xvi + 242 pp. Cloth, \$35.00—The conventional wisdom in Nietzsche scholarship is that Nietzsche derived most of his understanding of Kant from reading Schopenhauer, that he understood Kant poorly, and that his philosophy is at odds with Kant's thinking in almost every way. In *Nietzsche's Critiques*, Hill seeks to challenge each of these claims.

First, Hill argues that Nietzsche gained much of his understanding of Kant, not from Schopenhauer, who tended to misrepresent Kant for his own purposes, but rather from Kuno Fischer's *History of Modern Philosophy* and Friedrich Lange's *A History of Materialism*. Further, while it's generally acknowledged that Nietzsche did a close reading of Kant's third critique, Hill provides evidence from Nietzsche's notes indicating that he may have also read the second critique and the *Prolegomena to Any Future Metaphysics*, again challenging the typical belief that Nietzsche had no first hand knowledge of much of Kant's work.

The central thesis of Hill's book, however, is the claim that Nietzsche's thinking is decidedly Kantian, at least in its framework. The book is divided into sections covering the subject matter of Kant's three critiques: aesthetics, epistemology, and ethics.

One weakness in Hill's scholarship is that he relies too heavily on Nietzsche's early works and notes to establish crucial parts of his argument, not citing enough the mature, published works, and this is especially the case in the sections on aesthetics and epistemology. In the aesthetics chapters, Hill claims that Kant's concept of the "dynamical sublime" had significant influence on Nietzsche's work, arguing that it led Nietzsche to the Apollonian and the Dionysian distinction and may have inspired his conception of tragedy. Further, says Hill, "Nietzsche's debt to Kant is in that area where he seems most un-Kantian: his aestheticism" (p. 75). However, by "aestheticism," Hill seems simply to mean Nietzsche's metaphysical claims in *The Birth of Tragedy* that the phenomenal world around us is the artistic projection of a "primal unity," an in-itself world will, which—Hill argues—is decidedly Kantian, and not Schopenhauerian. However, by Nietzsche's "aestheticism," most readers typically mean the idea of artistic self-creation as the telos of human existence to be found in Nietzsche's later and mature works, long after he abandoned that early—and, to his mind, embarrassing—metaphysics.

In the section on epistemology, Hill argues that Nietzsche's commitment to "anthropocentrism" and "falsification," the idea that we necessarily project elements like space, time, causality, and identity onto our experience, add up to a kind of naturalized transcendental idealism, "naturalized" because, Hill claims, Nietzsche is what Kant would call a



transcendental realist about space and time. Further, he argues that Nietzsche's view of the self as a synthesis sounds very much like Kant's transcendental unity of apperception. In addition, Hill argues that the later Nietzsche's claims that grammar is at the root of the concept of being is quite like Kant's argument that the understanding both synthesizes the manifold of representations into an object of experience, and produces the logical form of a judgment about that experience.

Hill admits that elements of his reading of the first critique are controversial. However, his reading of parts of Nietzsche's work is at least as controversial. He claims, for example, that, for Nietzsche, "the space (and time) of nature are empirically real but unobservable posits not unlike atoms" (p. 137), and that Nietzsche was a Berkeleian, because his rejection of any notion of a thing-in-itself was really a rejection of any mind-independent object; however, he claims, Nietzsche was likewise committed to panpsychism and thus to the idea that objects are never unobserved, never mind-independent. This commitment springs from Nietzsche's belief that all of reality was comprised of "fields of force," and that all these fields of force possess "rudimentary awareness" of their environment (p. 138). Hill supports each of these claims almost exclusively with passages from Nietzsche's early works or his notebooks, and each could easily be contradicted by passages from the mature, published works.

In the section on ethics, Hill argues that Nietzsche wrote *On the Genealogy of Morals* just after he read the second critique, and that the three essays of the *Genealogy* are a negative response to the three projects of Kant's moral thought: the rational reconstruction of our moral intuitions according to a unifying principle; the justification of our moral commitments; and metaphysical explanation, that is, using the phenomenal/noumenal distinction to prove the practical postulates of God, freedom, and immortality. In this discussion, Hill curiously keeps identifying Kant's morality with "our" morality (for example, on p. 226), whatever that might mean; and he repeats the unfortunate idea that Nietzsche advocated master morality.

Throughout the book some of Hill's omissions are striking. For example, in this section on ethics, completely absent is any mention of the later Nietzsche's wholesale abandonment of anything we traditionally called "morality" and his commitment to aestheticism, as described above; and in the section on epistemology he barely mentions Nietzsche's flux metaphysics, which is crucial for understanding Nietzsche's epistemological commitments.—Mark T. Conard, *Marymount Manhattan College*.

HODGSON, Peter. *Hegel and Christian Theology: A Reading of the Lectures on the Philosophy of Religion*. Oxford: Oxford University Press, 2005. 308 pp. Hardcover, \$110.00—Hodgson divides his book into three parts. He begins with an introduction that situates Hegel's philosophy of religion vis-à-vis both Hegel's philosophy as a whole and the circulating the-



ologies of Hegel's time. Hodgson then provides an extensive reading of Hegel's philosophy of religion. Here Hodgson tackles Hegel's views in a theme-by-theme manner—for example, he discusses Hegel's thoughts on worship, creation, reconciliation, and the relationship between Christianity and non-Christian religions. Finally, Hodgson concludes by directly contrasting his own interpretation of Hegel's philosophy of religion with certain other interpretations.

Hodgson's primary aim is to show that Hegel's philosophy of religion offers us a workable middle position between the "reigning dogmatisms of our time"—namely, "philosophical agnosticism and religious fundamentalism" (p. 284). Here he considers three views of God: (1) God does not exist; (2) God may exist, but, regardless, we cannot know anything of God; (3) God exists and is radically distinct from humanity, such that to claim that humanity can contribute to God (for example, add to God's fulfillment) contradicts the very idea of God. Hodgson's central claim is that Hegel offers us a fourth alternative.

Certainly Hegel's view of God is striking. It is natural to think that, if God exists, then (as Kierkegaard thinks) God is infinitely different from humans (p. 249). But, says Hodgson, Hegel's view of God is not like that: For Hegel "the absolute is at the farthest remove from what is transcendent, immutable, disengaged, cut off, superior, supreme, and unrelated" (p. 91). Hodgson notes that Hegel even goes so far as to hold that history "is not reduced to a side-show but is constitutive of the divine life" (p. 267).

William Desmond has recently criticized Hegel's view of God, saying that what Hegel offers us is a counterfeit God. By Desmond's lights the only true absolute is one that lies beyond nature and humanity, and thus human history cannot be constitutive of the divine life in the way that Hegel thinks it is (p. 251).

However, for those who believe in a God who is radically distinct from humanity, there is, notes Hodgson, a problem. Such believers do not want "to leave God stuck in an absolute beyond" (p. 258). They want God to interact with humanity, to care about humanity, and to have desires regarding humanity. But this raises a question: if God is infinitely different than humans, then why and how is it that we matter to God?

Kierkegaard, Desmond, Hodgson, and Hegel all feel the force of this question, but they answer it in different manners. Kierkegaard and Desmond answer by saying that God is infinitely different from us, but that nonetheless God does care about us and does interact with us—for example, in terms of "paradox and the passion of faith" (p. 249). In contrast, Hegel answers by rejecting that God is infinitely different from us and by affirming that our lives are somehow constitutive of the divine life.

Desmond and Hodgson agree that this is Hegel's answer. While Desmond, however, thinks that this answer commits Hegel to being something he says he is not—namely, to being either a pantheist or an atheist—Hodgson thinks Hegel finds a workable middle position between, on the one hand, religious orthodoxy and, on the other hand, pantheism or atheism. It matters here that there is a dispute between Desmond



and Hodgson about the structure of Hegel's logic and, by extension, about how Hegel's logic impacts Hegel's view of God (pp. 6–12, pp. 252–3, and pp. 267–9). Gaining clarity about this might shed light on whether the Hegelian middle position really is tenable.

In closing we consider a brief line of thought: most human desires imply an inner sense of incompleteness on the part of their holders. But there are humans who are—for certain stretches of their lives—notably contented, and such humans do have desires. They want their own lives and the lives of others to go certain ways rather than others, and they are in some sense disappointed and happy about things that happen. What is admirable about them, though, is that their inner tranquility remains relatively constant, and this point holds even though and even while they are in certain respects disappointed and happy about things that happen. No doubt this sounds paradoxical. Yet something like this seems to ring true. By way of analogy, maybe we can think of a God who is the only true absolute, who is always contented, and who nonetheless does interact with us, is in certain respects affected by us, and does have desires with respect to us.—Billy Lauinger and Wilfried Ver Eecke, *Georgetown University*.

HUFFMAN, Carl A. *Archytas of Tarentum: Pythagorean, Philosopher and Mathematician King*. Cambridge: Cambridge University Press, 2005. xv + 665 pp. Cloth, \$175.00—This beautifully ordered book will become indispensable. After three introductory essays, we have what Huffman argues are the “genuine fragments” (pp. 103–252), and the “genuine testimonia.” (p. 255–594) There follows an appendix on “spurious writings and testimonia” (pp. 595–618) and a pithy but erudite note on the values of the vowels in Archytas' name.

The fragments are presented in Greek (with apparatus) and in English translation. There follows in each case a discussion of authenticity, context, and major characteristics and themes; and to add even greater wealth, there is a line-by-line commentary. The presentation of the testimonia is equally remarkable, and reminds us how much we depend on those later witnesses, who were not consistently reliable but nevertheless full of lateral interest, reflecting both their own historical setting and Archytas' shifting reputation. Again, there are Greek and Latin extracts, many with apparatus, and English translations of everything. Finally, we have an excellent index of Greek words and phrases and an index locorum that covers a swathe of ancient and medieval literature.

Huffman's subtitle hints at the breadth of his subject's preoccupations. Tarentum was plausibly “one of the most powerful of all Greek city-states” in the fourth century BC (p. 11). Even those familiar with the history of the western Greek colonies in that period must marvel at a civil and military leader, who, during nearly twenty years of power, found time to range with such learning and insight in so many fields of inquiry.



Archytas' fame rests in part on his rescuing Plato from Dionysius II, tyrant of Syracuse, in 361 BC. But Huffman is eager "to paint a portrait of Archytas that is largely independent of the Platonic connection" (p. 32). Certainly, Archytas showed no sign of having wished to turn his soul, à la Plato, from the sensible to the intelligible. His notion of "sciences" (*ta mathemata*) resided in being able to distinguish (*diagignoskein*) between concrete "wholes" and then between the "parts" of each "whole" (pp. 58–68). Huffman discusses, of course, Plato's famous *Seventh Letter*, which he places alongside competing traditions (especially those treated by Plutarch) as to who—Plato or Archytas—depended upon the other (pp. 32–42). Without being adamant either way, Huffman prefers to suppose that neither Archytas nor Plato, at the time of their closest association, was in a position to be dominant. We cannot responsibly declare the letter inauthentic; but we have to appreciate its interpretive character and its ambiguity as a witness on this very issue. A clearer sense of what Plato thought of Archytas is acquired, according to the author, by a reading of Book VII of the *Republic*; and, as the introductory chapters proceed, we detect a developing thesis about the relations between Plato, Aristotle, and Archytas (see finally p. 88). Herein lies the freshness of Huffman's approach.

Later thinkers competed for historical rights over the Pythagorean tradition. Cicero and Pliny are just two among several Romans who wanted Archytas to be both a philosopher and an Italian (p. 21). As tradition and reinterpretation developed further, "Pythagoreanism" acquired an assumed unity and a mythical origin. We should not impose, however, such later appraisals (so Huffman argues) either on Pythagoras himself or on those who preserved his reputation in the first two centuries after his death. Archytas (like his immediate forebear Philolaus) carried his Pythagoreanism lightly: in that at least, Aristotle was right (pp. 44–6). And although there were clearly Pythagorean elements in Archytas' past, his appeal to his predecessors was more eclectic (p. 52).

Huffman's skill resides particularly in his matching Archytas' mathematical eminence with his broader philosophy. He is skeptical about Archytas' supposed mechanical enterprise in the service of warfare (pp. 14, 30, 83). Indeed, one of his more general points is that early Pythagoreanism was always distinguishable from technique, even in the instances where they coexisted. He is succinct in declaring his main purpose: "I will argue that Archytas' technical work in the various mathematical sciences was both based on and radically transformed an all-encompassing view of the cosmos and the place of humanity in it, which he inherited from his predecessor Philolaus" (p. 46).

Archytas was, however, beyond contest, a major mathematician—a standing sealed by his solution to the problem of the duplication of the cube (pp. 342–401). That achievement depended not on mere multiplication but on an understanding of proportion, which in turn underlay all that Archytas believed about anthropology, morality, and politics (p. 84). What he called "logistics" (*logistika*) was, in his opinion, the surest path to "wisdom" (*sophia*), and dependent entirely on this ability to



judge how numerical values are related, rather than what any one number might represent individually. In this above all he moved beyond even Philolaus (pp. 66, 68f, 225).

Archytas also stressed that every human being possessed that degree of judgement, which inclined him to favour democracy over rule by a philosophically enlightened élite—precisely the preference that Plato wished to counter in the *Republic*. A sense of proportion was essential, Archytas believed, to an understanding of the inner poise between reason and passion, the just distribution of wealth and resources, and the balance of power within the state (pp. 17–19, 72–4, 87–9).

Briefly, therefore, in addition to texts and commentary, we have a splendid reappraisal of Archytas himself, of his relations with Plato and Aristotle, of his debt to Pythagoras, and of the Pythagorean tradition (so variously revealed in the testimonia): a worthy successor to the author's *Philolaus of Croton* (1993).—Philip Rousseau, *Catholic University of America*.

INWOOD, Brad. *Reading Seneca: Stoic Philosophy at Rome*. New York: Oxford University Press, 2005. xvi + 376 pp. Cloth, \$85—This book is a collection of twelve essays, including two new pieces, "Getting to Goodness," and "Seneca and Self-assertion," representing fifteen years of "reading" and writing by Professor Inwood on Seneca and his place and role in the history of ancient Western philosophy. Not surprisingly, the initial essay, "Seneca in his Philosophical Milieu," is an "exploratory sketch" (p. 7) of the philosophical environment in which Seneca wrote. In the remaining essays, all written between 1989 and the spring of 2004, Inwood only addresses Seneca's intellectual work as a philosopher (and not his work in Latin literature and drama or Roman politics), and especially his Stoicism. These essays range over topics as diverse as Seneca's psychological dualism, his political and ethical views, his account of the will, his views on God and human knowledge, moral judgment and natural law, as well as his accounts of happiness, goodness, freedom and autonomy, and finally, the self.

The most basic and important "charitable assumption" (p. 2) Professor Inwood makes in his "reading" is that Seneca thought and worked as a philosopher, "as an independent-minded Roman writing against the background of Greek authority" (p. 340), despite his social and political standing. In other words, eschewing the usual, and to Inwood, dubious, characterization of Seneca's work as a project of philosophically harmonizing Platonism, Aristotelianism, and Epicureanism, Inwood insists that Seneca was, in spite of his political, literary, and other professional activities, a philosopher—"first and foremost a Stoic philosopher" (p. 305), though not a "professional philosopher" (p. 144)—"shaped by his culture rather than a Roman writer blundering about among philosophical themes, as he has often been portrayed" (p. 2). Interestingly enough, and perhaps somewhat paradoxically, Inwood's long-term project of reading Seneca philosophically has failed to yield a coherent general



picture of either Seneca's philosophical methods or his commitments that might serve as the basis for a unified account of Seneca qua philosopher. As a result, one must read the twelve essays of the book as Inwood's ongoing attempt to read and sketch in rather broad strokes an original and newly emerging philosophically inspired and conceived portrait of one of the most influential Roman thinkers and statesmen.

Each distinct but related essay, while consciously concerned with Seneca qua philosopher, does not fail to take account of other important features of his life, including his education, intellectual and literary training and background and, perhaps most importantly, his self-presentation as an independent thinker and author. The specific philosophical themes and issues connecting the collection of essays in this volume include: moral psychology and philosophy of mind (in "Seneca and Psychological Dualism," "The Will in Seneca," and "Seneca on Freedom and Autonomy"); Seneca's use of the distinction between the idealized sage and the non-sage or "ordinary man" in moral and epistemic matters (in "Politics and Paradox in Seneca's *De Beneficiis*"); the role of moral rules and their relationship to both the natural law and the situational variability involved in concrete moral reasoning (in "Rules and Reasoning in Stoic Ethics," "Moral Judgment in Seneca," and "Natural Law in Seneca"); the ontological status of the human person in relation to animals and the divine (in "God and Human Knowledge in Seneca's Natural Questions"); the nature of rationality (in "Reason, Rationalization, and Happiness"); Seneca's theoretical and practical concern with moral self-improvement and character development and their relationship to living a happy life; and finally, Seneca's relationship to both his philosophical predecessors, especially the Stoics, Plato, and Aristotle, and his influence on subsequent Western thinkers.

Like all interpretive or re-interpretive studies of historical figures, the clarity and persuasiveness of Professor Inwood's "sketch" of Seneca rests on the intellectual impressions of its inductive generalizations, rather than on its logical demonstrations, strictly speaking. After finishing Inwood's exercise in reading Seneca philosophically, I could not help but be reminded of the work of Professor Roger Ames of the University of Hawaii, who is engaged in a similar kind of project with respect to Confucius, Laozi, and other early Chinese thinkers. In both instances, these scholars are working to reassess and change the received interpretations of important and influential figures. Of course, success in these kinds of enterprises is often not seen until years later, after colleagues have been challenged to re-think the received view of things. In fact, trying to reorient standard interpretations of historical figures is like trying to stop a luxury cruise ship on a dime—it just cannot be done. But scholars like Inwood (and Ames) are at least to be commended for their efforts to influence and redirect the tide of scholarly thought and challenge our conventional "reading" of our sources.—Stephen J. Laumakis, *University of St. Thomas*.



KENNY, Anthony. *Medieval Philosophy. A New History of Western Philosophy, Vol. 2*. New York: Oxford University Press, 2005. xvii + 334 pp. Cloth, \$ 30.00—This book is the second volume of Anthony Kenny's intended four volume series on the history of Western philosophy. Such works are frequently the product of a team of specialists; these volumes, in contrast, are penned by the hand of a single author, Kenny himself. As he notes in his introduction, it is the intention of Oxford University Press in this series to present the development of philosophy from a single viewpoint in order to provide a unified narrative with connected themes.

Together with the other volumes in this series, this book is directed to an audience that is primarily in its second or third year of undergraduate study. The style of the book makes it very accessible to its intended audience (although the occasional British idiom will likely be lost on American students). As regards the structure and the content of the book, it is a suitable text not only for a philosophy course, but for a history course as well. As Kenny explains, the study of the history of philosophy can be approached either with an interest in the period's history or its philosophy; thus, the book has been structured to reflect this fact: the first two chapters present a chronological survey of authors from the time of Augustine to the Renaissance, while the remaining chapters present thematic treatments of perennial philosophical topics. This structure has the advantage of allowing the reader to focus on the aspect of the history of medieval philosophy that interests him more: history or philosophy. And, thus, the book also offers flexibility for a course instructor.

After the two historical chapters, Chapter 3 examines the theme of logic and language. As with the other theme based chapters that follow, this one examines its own theme by providing a chronological consideration of select philosophers. This chapter would make a useful supplement to an upper level course on logic or on the philosophy of language. Chapter 4 examines the theme of knowledge, addressing such topics as skepticism, illumination, and concept formation. Chapter 5 offers a brief consideration of medieval physics, or natural philosophy.

In Chapter 6, which addresses the theme of metaphysics, Kenny begins by examining Avicenna's metaphysical thought. He then proceeds to discuss Aquinas's metaphysics, noting the influence of both Aristotle and Avicenna on his writings. Kenny next discusses the thought of Duns Scotus (although he curiously makes no mention there of how this author is also significantly influenced by Avicenna), Ockham, and Wyclif. Chapter 7 concerns the theme of mind and soul, and it examines a variety of topics, including perception, the interior life of the soul, the intellect, the will, and the soul's immortality. In Chapter 8, Kenny turns his attention to ethical themes, revealing the variety of systems among Christian thinkers in the Middle Ages, despite their common faith. This chapter examines the ethical thought of Augustine, the intentional ethics of Abelard, and the natural law theories of Aquinas, Scotus, and Ockham.

In his earlier chapter on metaphysics, Kenny acknowledges that for such thinkers as Aquinas and Scotus, the goal of the science of "being qua being" is to establish the existence and attributes of God. Neverthe-



less, he reserves consideration of God for the final chapter of the book. There, he examines various proofs of God's existence, and he considers the problems raised by divine attributes such as omniscience and omnipotence.

As a whole, this book provides a useful classroom secondary text for undergraduate students. Still, what is presented at the outset as one of the book's principal strengths also turns out to be one of its principal weaknesses, namely that it is written by a single author. Although this approach does indeed provide the advantage of presenting a single narrative, it also limits that narrative to a single viewpoint. For example, following conclusions that he reaches in his other works, Kenny dismisses all of Aquinas's famous Five Ways as being unsuccessful proofs of God's existence. He notes that some people do try to restate these arguments in different ways, but he nonetheless leaves the reader with the impression that all of Aquinas's proofs are universally recognized to be intrinsically flawed.

Occasionally, this book's single viewpoint is also to the detriment of its very historicity. To offer but one example, three logical works are attributed to Aquinas as youthful writings (p. 65), works that have for years been recognized by scholars to be unauthentic. Such a lapse in historicity is not surprising when one examines the book's bibliography: not only is it all too brief, but it is also limited principally to authors who follow in the analytic tradition of scholarship rather than in the historical. This is a surprising fact given the book's stated intent.

Of course, with any textbook an instructor adopts for a class, there will be occasional differences with the author's opinions. These differences can have the benefit of providing an opportunity for further clarification and classroom discussion. With that in mind, instructors will find this book of great use in both philosophy and history courses, and students will find it an engaging read.—Gregory T. Doolan, *The Catholic University of America*.

LEIBNIZ, Gottfried Wilhelm. *Confessio Philosophi, Papers Concerning the Problem of Evil, 1671–1678*. Translated, edited and with an introduction by Robert C. Sleigh, Jr.; additional contributions from Brandon Look and James Stam. New Haven and London: Yale University Press, 2005. xli + 178 pp. Cloth, \$85.00—This long awaited third volume of the Yale Leibniz Series contains an English translation (with original Latin text on opposing pages) of several important papers Leibniz wrote early in his philosophical career (1671–1675) concerning problems of theodicy. With one exception, the original language texts are those of the Akademie Edition, Series II and VI. The exception is a paper presented in Fraktur in the Akademie Edition that has been rewritten in Roman for ease of printing.



The papers collected in this volume, all but one of which are available in English for the first time, represent some of Leibniz's most vigorous and lucid statements of his views on the problem of evil, that is, the apparent inconsistency between the existence of evil in the created world and various characteristics often ascribed to God, such as justice, moral perfection, wisdom and power. As Sleigh points out in his commentary, part of the reason Leibniz expresses himself so forcefully in these papers is that in this early period of his career he is not constrained by the same diplomatic considerations that he eventually would be later in his career. The result is a much more strident defense of his positive views and a much more stinging critique of Scholastic efforts to address these issues than we find in his more mature discussions of these topics, such as in the *Theodicy* (1710).

Of the nine works in this volume, the centerpiece is the *Confessio Philosophi*. In this work, which is presented in dialogue form, Leibniz engages his interlocutor on a variety of issues related to the question of God's justice and the existence of sin. The other eight works were chosen on the basis of their relation to the *Confessio*. The first two selections constitute an early attempt to formulate ("On the Omnipotence") and resolve ("Letter to Magnus Wedderkopf") some of the problems to which Leibniz returns in the *Confessio*. The remaining selections include a 1677 conversation between Leibniz and Nicolaus Steno concerning topics related to the *Confessio*, and several shorter pieces, some of which may have been written for Steno. An added bonus is that Sleigh has included Steno's marginal comments to the *Confessio*, and Leibniz's marginal responses to Steno's comments at the foot of the relevant pages of the *Confessio*.

There is much of interest in these texts beyond the valuable insight they provide into Leibniz's views on the problem of evil. One thing that is especially interesting is that we find many of the metaphysical commitments that are prominent in Leibniz's mature philosophy already playing a foundational role in his quite early thinking about issues of theodicy. For example, he is already making heavy use of his distinctive theory of modality, the Principle of Sufficient Reason, and the idea that perfection is to be understood in terms of harmony. I was surprised, in fact, at the extent to which these early papers illuminate aspects of Leibniz's metaphysics independently of the use to which he puts these theses in his discussion of theodicy. This makes the collection a valuable resource not only to scholars focused specifically on Leibniz's views on the problem of evil, but also to historians of early modern philosophy more generally.

Sleigh is to be commended for the work he put into this volume. His translations, as well as Brandon Look's, are smooth and reliable; they are a pleasure to read despite the philosophical complexities in Leibniz's thought. And, to his credit, he does not try to force clarity onto enigmatic passages but rather translates them in a way that preserves their enigmatic character. His introductory commentary is thoughtful and rigorous. He does not attempt to discuss all the various issues that arise in the texts, but focuses on a few central ideas, which he considers in some detail. These include Leibniz's use of *per se* modalities, his discussion of the apparent unfairness that creatures could be damned



when God is responsible for their choices, and his analysis of arguments for the claim that God is the author of sin. Finally, Sleight's endnotes are extremely helpful, offering not only historical information but insightful philosophical exposition of various pieces of text. One gets the feeling that he has lived and breathed these texts for a long time, and his knowledge and insight are evident, albeit in the background. As a result of the care with which this volume has been prepared, it will surely be indispensable to Leibniz scholars and an outstanding resource for historians of philosophy and philosophers of religion.—Timothy Crockett, *Marquette University*.

LIÉBERT, Georges. *Nietzsche and Music*. Translated by David Pellauer and Graham Parkes. Chicago: University of Chicago Press, 2004. x + 291. Cloth, \$38.00—The title of this translation of *Nietzsche et la musique* (Paris, 1995) is slightly misleading; more apt would be something like "Nietzsche and the Composers". Chapter Three, for example, points to Nietzsche's "affinities with Schumann", and the central five chapters tell the history of Nietzsche's turbulent relationship with Richard Wagner and his music. The last three touch on Gustav Mahler's and Richard Strauss's respective views of Nietzsche, as well as Nietzsche's reception of other composers, including Brahms, Mendelssohn, Mozart, Rossini and Bizet.

Readers expecting an analytic treatise on the role of music in Nietzsche's philosophy will be largely disappointed. What Liébert has written is an elegant and insightful history of how Nietzsche failed to achieve his youthful ambition to become a great composer and instead projected his hopes for music on to Wagner. Liébert's style is that blend of erudition and wit characteristic of French intellectual discourse. He has done his homework, gathering the references to music and musicians that are scattered throughout Nietzsche's collected works and letters. The numerous quotations are set into their respective historical contexts and frequently illuminated by incisive comments. Liébert expects readers to be culturally literate; when he quotes Mallarmé, cites Schopenhauer, Feuerbach or Herder, mentions Stravinsky, Chopin and Schumann, there are no footnotes to provide any orientation.

The structure of the narrative follows the chronology of Nietzsche's life. The opening chapter stresses how much more important music was for the young Nietzsche than any other art form. The second chapter, perhaps the most interesting in what it reveals about Nietzsche's motivations, reports on his passion for music and on his early attempts at composing and at improvising on the piano. Liébert is polite about Nietzsche's accomplishments: "Brevity and concision equally characterize the lieder that Nietzsche composed between 1861 and 1864" (p. 26). Listeners may judge for themselves, since the music has finally been published and various recordings are now available (p. 207).



Liébert talks about a decisive turn that came when Nietzsche met Wagner in November, 1868 and literally fell under his spell. From then until he lost the use of his mind twenty years later, Nietzsche defined himself as a philosopher through an intense interaction with Wagner's personality, music and utopian ideals. The relationship began so warmly that the rupture had to be quite unpleasant when Nietzsche perceived in Wagner's aesthetic praxis a betrayal of the hopes that they had once shared for the radical transformation of German society into an ideal community governed by the principles of sublime art. Wagner fell from grace in the younger man's eyes when he inaugurated the festival at Bayreuth, which attracted a public willing to consume the spectacular operas without undergoing any fundamental transformation. Thereafter, Wagner was for Nietzsche another depressing manifestation of German Romanticism, summed up for him in Liébert's words as "the pessimism of weakness" (p. 143).

If there ever were any doubts about the importance of German discourses about music for Nietzsche, this book lays them to rest. It also refutes the stereotype that Nietzsche was a "Wagnerian," with all the connotations that term gathered in the twentieth century. Liébert insists: "the aesthetic outlined in Nietzsche's works starting with *Human, All Too Human* stood in complete opposition to Wagnerianism and to almost all of its Austro-German posterity" (p. 174). The book will be a necessary reference for those working on the topic of Nietzsche and music. And yet, a question lingers: Does all this matter philosophically? Liébert's authorial stance as a chronicler lets him evade issues such as the epistemological status of music, the validity of Nietzsche's analyses of aesthetic experience, or the implications of composing as a techné.

Alas, Liébert has not been served well by the translators or the editors. Unpolished prose, sometimes quite ungrammatical syntax, and literally dozens of egregious misspellings on the order of *Götterdamerung*, *Rhode*, *Aldabert von Chamisso*, and *Parilpomena* bespeak a cynical indifference to the task at hand.—Arnd Bohm, *Carleton University*.

NORTON, Anne. *Leo Strauss and the Politics of American Empire*. New Haven: Yale University Press, 2004. 235 pp. Paper, \$16—In a very "Straussian" manner, the last word in this, what can best be called "impassioned intellectual autobiography," is not Athens, not Jerusalem, not Rome, not Nietzsche's Germany, not Washington, but astonishingly "Baghdad." Yet, we find two Baghdads. The first is the actual Baghdad now, alas, occupied "on the ground" (228) through the baleful influence on American foreign policy—now functioning as an "Empire"—of politically active students of Leo Strauss, the great Socratic and Jewish political philosopher (d. 1973).

The second "Baghdad" is the "philosophical Baghdad" of Norton's and, as she hopes, of Strauss's dream. It is nothing less than Plato's wandering "city in speech," that, we learn, once found a peaceful home for Muslim, Jewish, and Christian philosophers under the political rule



of no one less than Saladin the Magnificent. Here took place the worthy reflections of Maimonides and Farabi, who, when read in distant Andalusia, also taught Aquinas. Needless to say, this book has magisterial pretensions.

This Baghdad is where the great medieval Muslim philosopher Farabi's true "democracy" can alone live and where Strauss himself alone was truly at home. What does this "democracy" stand for? "In democracy nothing is certain. We democrats go willingly into the evening land, not knowing who will rule after the next election, never certain of what the future will bring us. So it is with philosophy" (228). This sounds more like Dewey than the Koran.

A sharp eye also notes in the above passage that Norton used the phrase "go willing into the evening land"—Chapter Three is devoted to the topic. That phrase, though not cited, has reference to the famous post World War I thesis of Spengler on the Decline of the West. This latter word in German meant precisely "evening land." The thesis of "decline" goes back through Gibbon probably to Joachim of Flora and Augustine, if not to Thucydides, to a place (Sicily) where Norton herself sees us ending (Chapter 13). It was precisely this Great War that brought to a close the Ottoman Empire, enabling the Mideast, much to the humiliation of Islam, to be occupied by French and British forces, areas which Islamic armies had conquered from Christian forces centuries before..

It was here too where after the next Great War, Israel ceased to be merely a name for a diaspora or a nation in a book. The existence, exigencies, and protection of Israel are, in some sense, what bothers Anne Norton, especially the theory that, in order to do this protecting, we need to demonize Islam and spread American rule (a non-Farabi "democracy") throughout the world.

Anne Norton is a political science professor at the University of Pennsylvania. This book is not "scholarly" in the normal sense we associate with an academic press. Norton, as a young woman, attended the University of Chicago during the heyday of Strauss. She recalls the famous quip that Chicago was where "Jewish professors taught Catholic philosophy to Protestant students." One recalls Adler, Hutchins, Maritain, Hannah Arendt, among others.

Norton seems to have been a very alert student actively pondering what she understood to be at issue. The book contains none of the tedious, careful, obscure methodology often associated with Strauss. This memoir is full of stories, rumors, gossip, opinions, friends, conversations, many of which revolved about the fascinating question of just what was Strauss up to? Norton sets herself the task of explaining who the "real" Strauss was. Thus, we find good Straussians and very bad ones, the worst being people like Irving Kristol and Donald Kagan, together with many in the Administration of the second George Bush who has somehow been, along with the Christian right, persuaded into the preposterous task of defending Israel against peaceful Muslims. The thesis is nothing less than mind-boggling, but it is highly entertaining and argued with great wit.



Accusing Strauss for developing current American foreign policy seems to have become an academic parlor game. The cause of our problems lies not in the objective circumstances of an actual war and a televised attack by known and self-defined enemies who have made their own world view quite evident. This war justification is nothing like the romantic Bagdad of Norton's Farabi, or Strauss if he really would have preferred Bagdad to Jerusalem, which I doubt. A school of "Straussians" led by Harry Jaffa considers statesmanship (hence war and peace) to be part of the essence of Strauss, who is often accused of being so contemplative that, like Thales, he did not know how to tie his shoestrings.

Norton tells us that today our fears are less than what they were when Roosevelt maintained that the only thing we had to fear was "fear itself" (158). For Norton, we are "on the ground" in Bagdad, not to protect ourselves and others, including Muslims, but we are on a "Sicilian Expedition" that is equally as senseless as that described by Thucydides and promoted by Alcibiades.

Norton thinks Strauss would have ignored what happen on 9/11 and the movement behind it. She has herself evidently ignored it in seeking to explain how we can understand our country's actions, not, as it is, in terms of a prudential answer to an objective situation from a known source, but as a "plot" of certain arrogant students who once studied Strauss with her at the University of Chicago. The last word of her book, explaining war and Straussian philosophy, should have been neither Athens, Jerusalem, Rome, Berlin, Washington, or Bagdad, but, of all places, Chicago!—James V. Schall, S. J., *Georgetown University*.

PARTENIE, Catalin and ROCKMORE, Tom, editors. *Heidegger and Plato: Toward Dialogue*. Evanston, Illinois: Northwestern University Press, 2005. xxviii + 234 pp. Cloth, \$59.95; paper, \$23.95—This volume is a welcome addition to contemporary scholarship on Heidegger. It contains several excellent essays, which provide a remarkable presentation of Heidegger's evolving relationship with and interpretation of Plato's works. It also contains a fairly extensive list of Platonic passages and themes, which Heidegger discussed from 1918 to 1973, with page references to the "Gesamtausgabe." The bibliography is a substantial addition to that found in Boutot's "Heidegger et Platon," which only listed works up to 1987.

The introduction by the editors initially provides a short sketch of Heidegger's interpretation of Plato as an appropriation followed by an estrangement. But when this characterization is linked to the famous pre-Kehre and post-Kehre periods, as well as Heidegger's rethinking of the Platonic "Idea" as arising from Dasein or—along with Heidegger's evolving reflections on Nietzsche—as leading to nihilism, and with the additional possibility that there might have been a third stage, it becomes very clear that Heidegger's relation to Plato is not ultimately ascertainable as initially proposed.



The ten essays that follow fall into three easily discernable groups. The first three essays by Theodore Kiesel, Jacques Taminiaux and Catalin Partenie look at specific texts; respectively, the Rectorial Address, Sophocles' *Antigone* and the Sophist lectures of 1924–25. Kiesel's essay begins with the paradigm of the Platonic *paideia* and *polis* as presented especially in the *Republic* as holding sway over Heidegger's threefold "service areas" of work service, defense service, and knowledge service, but questions Lacoue-Labarthe's reading of the *Rectorial Address* as a displacement of *phronesis* by *techne*. As Kiesel points out, *techne* in the *Republic* is actually *phronesis*, understood as performance, know-how, a position Heidegger argued for in his *Nietzsche I*. Taminiaux's essay traces Heidegger's two different readings of the *Antigone* in 1935 and especially in 1942 to the influence of Platonic themes, including the use of *Hestia* and the *hyperouranios topos* in the *Phaedrus* to account for his reading. Finally Partenie's essay deals with the similarity and great difference in Heidegger and Plato on the cleavage between authentic and inauthentic existence.

The middle group of four essays are on Heidegger's position on truth. These essays are by Michael Inwood, Enrico Berti, Maria del Carmen Paredes and Joseph Margolis. Inwood's essay brings to light Heidegger's disagreement with Plato as a matter of seeing the Idea as either dependent upon our looking or as independent of our looking. Inwood finds Heidegger closer to Protagoras than to Plato. Berti's essay argues that Heidegger understood the Platonic notion of truth as largely a function of his understanding of Aristotle's interpretation of truth. Paredes admits that Heidegger did at first understand Plato through Aristotle but eventually as he moves more and more towards a nonrepresentational model of truth, he reshaped his understanding of Plato to serve as the antithesis to that model. Finally, Joseph Margolis's analysis of Heidegger on truth frequently remarks on Heidegger's devilish cleverness but finds his account unconvincing. Heidegger's reading of Plato on this topic is an extrapolation from his understanding of his own time. One must read "Plato's Doctrine of Truth" along with "The Age of the World Picture".

The last three essays are rather comprehensive in their approach to their themes. The first, by Johannes Fritzsche, deals with Heidegger's approach to Plato in the 1920s and 1930s in relation to his understanding of "historicality" in *Being and Time*. The second, by Stanley Rosen, is a trenchant critique of Heidegger's presenting Plato's Ideas as an ontology of production. The third and final essay, by Tom Rockmore, focuses on Heidegger's approach to the history of philosophy with special emphasis on Plato, which Rockmore critiques as an attempt to get behind the history of thought to Being itself, which is understood as a single, continuing problem, even though its formulation by Heidegger reveals it as a specific contingent, historical event.

Each of these essays approach Heidegger through a certain understanding of Plato and Platonism. Heidegger, who could on occasion distinguish between Plato and Platonism, was also guilty on other occasions of conflating these two, not least because he was capable of rethinking the whole of Western philosophy in light of his own remarkable



insights. As Stanley Rosen writes in his contribution to this volume, "We thus arrive at the odd situation that Heidegger, who rebukes all of Western philosophy as Platonism, is himself in some ways closer to the original Plato than the so-called Platonists" (p. 182). It is one of the many merits of this volume that the reader is forced to consider this need to move towards a dialogue with Plato, to consider the need to evaluate and determine the thought of Plato, which guided Heidegger, perhaps even when he least suspected it.—Donald C. Lindenmuth, *The Pennsylvania State University*.

RAUSCHER, Anton, editor. *Nationale und kulturelle Identität im Zeitalter der Globalisierung*. Soziale Orientierung. Veröffentlichungen der Wissenschaftlichen Kommission bei der Katholischen Sozialwissenschaftlichen Zentralstelle. Mönchengladbach, Band 18, Duncker und Humblot, Berlin. 374 pp. \$98.00—This collection of papers read at the German-American Colloquium of August 2004 in Detroit deal, as Jude Dougherty points out in his leading presentation, with a most important issue—that is, the different aspects and effects of globalization, on the one hand, and the importance of national identity, of active participation of the citizens in the social and political life, on the other. In a short preface, Anton Rauscher sketches the purpose and results of the biennial colloquia on sociopolitical and cultural issues, held alternatively in the United States and Germany. Twelve of the papers were read and printed in English, eleven in German. In a searching essay, Kenneth Whitehead examines what is proper to the national identity of Americans and notices that the so-called Anglo-Protestant culture Huntington praises so highly, is in steep decline. Gladys Sweeney deals with the psychological effects of globalization (stifling conformity, stress, sense of alienation, soulless vision of the world). Kenneth Schmitz proposes what he calls a metaphysical analysis of the growing unification: the technological culture affects deep-seated local cultural values. Local governments, as noted by Thomas Rourke, are hard put to control outside influences: the long-term goal of international capital is to have access to all the world's resources and markets, and it is in a position to threaten governments that stand in the way (Thomas Rourke). Richard Schenk advocates the middle way between universalization and specific identity, while Michael Novak shows the shortsightedness of those who identify European culture with the Enlightenment.

Some of the essays deal with historical questions, such as the theory of a just war. Manfred Spieker gives one of the most balanced and fair evaluations of the second Iraq war from the viewpoint of international law. Nicholas Pinchuk considers globalization from the point of view of multinational corporations. Pinchuk does not think that the essentials of national identities will be eroded by it. Globalization is primarily an economic phenomenon, although it also depends on political factors. John Hittinger stresses the duty to participate actively in political life and rejects John Finnis's criticism of Aristotle's theory of the state as



the perfect form of civic life. The role of Catholics in public life is treated in a scholarly essay by Anton Rauscher, who, while criticizing the French Revolution's view of man, places the human person as the origin, bearer, and end of all social life in the foreground. In organizing the latter the majority principle fails to bring about unity with regard to fundamental values. Pressure groups now depict some of these fundamental principles as dependent on Christian values and declare that therefore they are not acceptable to non-Christians. Wolfgang Bergsdorf stresses the reductive influence of the media on the perception of reality, quoting a poem by Goethe: "Stupidities presented to the eye/exercise a magic power. Since they charmed the eye, the mind remains a slave." The collection of papers closes with an essay by Lothar Roos on the importance of recognizing a natural moral order. This survey is a most valuable publication that deals with issues of vital importance in a scholarly way.—Leo J. Elders, *Rolduc, The Netherlands*.

ROCKWELL, W. Teed. *Neither Brain nor Ghost: A Nondualist Alternative to the Mind-Brain Identity Theory*. Cambridge, MA: MIT Press, 2005. xxii + 231 pp. Cloth, \$36.00—The thesis of this book is that current problems in the philosophy of mind are unsolvable because philosophers are committed to a position Rockwell calls "Cartesian Materialism." A Cartesian of the old-fashioned dualist sort thinks that the human body is a machine and that the human soul, which is the real locus of human consciousness, is in some way inside of that body. Few today, however, are dualists, for nearly everyone assumes that materialism is true. Nevertheless contemporary philosophers are still Cartesians, for they think that the brain has now replaced the soul: consciousness is supposed to be found solely in the brain or in brain activity. The brain is a material organ but it is still inside the body. Contemporary philosophers of mind are thus Cartesian Materialists. Instead, Rockwell argues, philosophers should realize that the human conscious self is not reducible to the brain, nor to the nervous system, nor even to the human body. The thinking, conscious self is a nexus—or a "behavioral field"—of the brain, the nervous system, the body, and the world.

This thesis, if it cannot be strictly proven to be true, can nevertheless be supported on pragmatic grounds—which is convenient for Rockwell, who claims to be a Deweyan pragmatist. The pragmatic grounds Rockwell has in mind come from science, artificial intelligence, and philosophy. These grounds are "pragmatic" in the sense that the kind of theory Rockwell advances provides a basis for research in these areas, without which research could not proceed so well or at all. Thus in biological and psychological experiments (Chapters 2 and 3), we learn that the nerves outside of the human brain perform not merely receptive but also important processing functions in sensation; that when the connection between a rat's spinal cord and brain is cut the rat can still learn new kinds of behavior; that the relation between brain stimulation and



motor control is not mechanical; that extra-nervous bodily chemicals (such as hormones) play an important role in emotional consciousness; and that light patterns outside of the human body can be part of the embodiment of vision. From research in artificial intelligence (Chapters 7, 8, and 10) we learn that thinking machines will require not only the old programming based on binary systems, logical inferences, and manipulations of sentences but also the new "connectionist" programming based on vector transformations in multidimensional geometries. The two kinds of programming lend support to the idea that the attempt to create artificial intelligence should mimic not only abstract and sentential thought but also perceptual and bodily experience. Philosophers (Chapter 1) who advocate functionalism (like Fodor) and eliminative materialism (like the Churchlands) support Rockwell insofar as they hold that consciousness is a function that supervenes on some appropriately complex physical system—but the system need not be restricted to what is inside the cranium or inside the skin, and can even be extended to what is not biological. And some philosophers, such as Dewey, James, and contemporaries like Ruth Millikan, have provided explicit support for Rockwell's position.

Furthermore, Rockwell contends that his position can allow for solutions to certain philosophical problems. The "brain in the vat," for example, is just a contemporary, materialist version of the problem introduced by Descartes's "Evil Genius" (Chapter 5). Both thought experiments are supposed to show us that human consciousness is plausible even though there might be no world in which consciousness exists. Rockwell, however, argues that even in a vat the brain would have to be stimulated by some world, if only a world of electronic gizmos, and that such a world would have to produce a continuous experience. The brain, hence, would have to be embodied in some way. In like manner, Rockwell offers solutions to Putnam's "Twin Earth" problem (Chapter 6) and the "zombie" problem (Chapter 7).

The problem of explaining error and illusion can be solved (Chapter 9) by realizing that the explanation of truth and falsity is always based on some ontology. All ontologies really tell us about the world, but some ontologies are worse than others because they are "less effective." But "less effective" means that they refer to the world in a "confused and equivocal manner," for the standard of truth is based on "varying degrees of clarity" that can be found in an ontology (p. 174). Here, then, we reach an ironic conclusion. This book is a sustained argument against a philosophical mistake that is a mistake because it is Cartesian. Yet, finally, Rockwell argues for his own ontology on the basis that it contains concepts that are, in comparison to others, clear and distinct. Rockwell wants to judge ontologies on pragmatic grounds—an ontology is better if it is more effective in helping us deal with the world—but in the end he seems to suggest that an ontology is more effective precisely because it has a better grasp on reality. That is, an ontology is better because it is truer.

But when we consider that, in Rockwell's ontology, there is no distinction between the subject of consciousness and its objects, and that such things as hammers, automobiles, and pencils may be parts of living, conscious beings, then we begin to wonder just how clear and dis-



tinct (or how true) the terms in this ontology are.—Steven Baldner, *St. Francis Xavier University*.

SEESKIN, Kenneth. *Maimonides on the Origin of the World*. Cambridge: Cambridge University Press, 2005. vii + 215 pp. Cloth, \$55.00—This work, rich in arguments and scholarship, is so clearly written that one is tempted to quote from it at length. As Seeskin notes, questions about the world's origin are directly related to what the world is, what God is, and what human reason can know. Such questions also involve a fundamental principle of religious faith. Maimonides's discussion of the world's origin, one of his major contributions to philosophy, has been subject to considerable disagreement. Seeskin examines a variety of interpretations and argues that according to Maimonides, "the world was brought into existence out of nothing in the first instant of time. In short, motion and time are created together" (p. 2). Seeskin calls this view creation *ex nihilo* and *de novo*. It implies, according to Maimonides, that God need not have created the world at all, but did so by His own free choice and wisdom.

Following an introductory chapter discussing basic issues about God and the world's origin, a chapter each is dedicated to Plato, Aristotle, and Plotinus respectively. The general strategy of these chapters is to examine each philosopher's understanding of the world's origin and then to consider Maimonides's view of them and the use he made of them. Thus, Seeskin offers interpretations not only of Maimonides but also of several other major figures in ancient and medieval philosophy. Each thinker is a kind of foil. Plato, on Maimonides's view, held that the order and structure of the world were created *de novo*, but not *ex nihilo* since the world was formed from preexistent matter that is eternal. Maimonides viewed Aristotle as having held that both the structure and matter of the world are eternal. The world, according to Aristotle, is not created either *de novo* or *ex nihilo*. Plotinus' view, which came to Maimonides through Alfarabi and Avicenna, denies creation *de novo* since all things necessarily and eternally emanate from the One. Emanation does not deny creation *ex nihilo* in the sense that everything owes its existence to God, but does deny creation *ex nihilo* in the sense that emanation, especially of matter, proceeds through intermediaries. Although Maimonides praises emanation as a "type of causality that does not involve physical contact" (p. 119), emanation posed numerous difficulties for him. Fundamentally, however, emanation is a foil for Maimonides's claim that the world is contingent. Unlike Aquinas, Maimonides, held that an eternal world cannot be freely willed by its Creator but is created necessarily. Thus, if the world is eternal, God could not have chosen not to create it.

Maimonides argues that some basic features of this world are contingent and, therefore, are products of a free agent. Seeskin's discussion of this argument from particularity actually involves a number of



arguments, including a valuable examination of Maimonides's view of science, especially astronomy. Maimonides accepted Aristotle's scientific account of the terrestrial realm but viewed his astronomy as deeply flawed. Drawing heavily upon the Mutakallimun, especially Alghazali, Maimonides argued that the celestial bodies have characteristics for which there is no necessary cause, such as the number and size of the celestial spheres, the direction in which they revolve, or the distribution of the fixed stars. Maimonides also argues that the incompatibility of Ptolemy's astronomy with Aristotle's shows that for many celestial phenomena necessary causes had not been discovered. One could maintain that necessary causes for these phenomena eventually would be discovered, and that the problems posed by the incompatibility of Ptolemaic and Aristotelian astronomy would be solved; however, Maimonides thought that the failure to discover necessary causes was most reasonably regarded as indicating the difficulties inherent in the subject matter of astronomy, the contingency of celestial phenomena, and the limits of human understanding. As Seeskin discusses in some detail, Maimonides regarded the failure to discover necessary causes of many celestial phenomena and the arguments for the contingency of such phenomena as seriously weakening the case for eternal emanation and strengthening the case for creation *de novo*.

Seeskin argues that although Maimonides claimed that many celestial phenomena are contingent, we must not think of him as maintaining that they do not have causes or that God created them arbitrarily. The spheres and their motions are ordered and purposeful. In this, Maimonides opposed Alghazali as well as Avicenna. He held that God acts for a reason, even if that reason is unknown to us; but that reason does not necessitate God's choice, and creation is a free act that God need not have willed.

Although Maimonides thought that the case for eternal creation was weak, he did not think it refuted, nor did he think that creation *de novo*, though the most reasonable view, could be demonstrated. As Seeskin points out, Maimonides, like Aquinas, argued that creation *ex nihilo* and *de novo* is intelligible and possible. However, unlike Aquinas, Maimonides argued that it need not be accepted as true on revealed grounds alone.

A further chapter examines Maimonides's view on miracles and the end of the world. Creation *de novo* is consistent with the possibility of miracles but raises the question as to whether or not the world must end. Maimonides's argument that it need not end crucially depends upon the claims that the existence of the world is from God and that creation is not a natural process.—Thomas J. McLaughlin, *St. John Vianney Theological Seminary*.

SKRBINA, David. *Panpsychism in the West*. A Bradford Book, MIT Press, Cambridge Mass/London, England, 2005. viii + 314 pp. Cloth, \$35.00—  
This book is both a survey of the history of panpsychist ideas in the



Western philosophical tradition, and an argument for taking panpsychism seriously as an alternative to familiar versions of materialism and dualism in contemporary metaphysics and philosophy of mind. The historical sections aim to show just how widespread panpsychism has been, and thus to combat the perception that it is something marginal or hopelessly eccentric; they also provide a sympathetic overview of the arguments that have been used in support of panpsychism.

The opening chapter explores the concept of panpsychism. Skrbina claims that panpsychism is not itself a theory of mind, but a "meta-theory", which holds that, "however one conceives of mind, such mind applies to all things." (p. 2) This means that there is a very wide spectrum of possible panpsychist positions and, obviously, the blander that one's definition of mind is (for example, a simple functionalist one), the easier (and the less interesting) it will be to be a panpsychist. Later in the chapter, though, he offers a definition which seems to have more content: "All objects, or systems of objects, possess a singular inner experience of the world around them" (p. 16). However Skrbina suggests that we should "see the 'mentality' of other objects, not in terms of human consciousness, but as a subset of a certain universal quality of physical things, in which both inanimate mentality and human consciousness are taken as particular manifestations" (p. 17). Yet what this "inanimate mentality" amounts to (or why it should be called "experience") remains unclear.

The bulk of the book (Chapters 2–9) traces the history of panpsychism "in the West", starting with the pre-Socratics and going through to the present day. Skrbina shows an impressive historical erudition, and these chapters will certainly provide a valuable starting point for anyone wanting to explore the history of panpsychist ideas. He provides interesting accounts of now little-known thinkers such as the Italian Renaissance "naturalists" (pp. 67–81) and the German scientist-philosophers of the mid-late 19th Century (pp. 122–36), but also tries to show how recognised major figures embraced, or at least flirted with, panpsychism in some form. This is easy enough with, for instance, Spinoza, Leibniz and Schopenhauer; but Skrbina's attempts to demonstrate panpsychist sympathies in, for example, Aristotle, Locke, and Newton, are more ingenious than convincing, requiring, as they do, a great deal of weight to be placed on brief and marginal texts. It is, however, very interesting to be reminded by Skrbina of just how widespread an interest there was in panpsychist ideas in the late 19th and early 20th centuries.

The final chapter, "Towards a Panpsychist Worldview," provides a helpful summary of the main types of argument that have been used historically in support of panpsychism, and also a critical survey of arguments used against it. The title of the chapter may be misleading; Skrbina's historical survey included a great many significantly differing views under the general heading of panpsychism, and he does not attempt to set out here a systematic account of the version he favours. He does, however, set out very clearly what the main lines of argument are that need to be considered in coming to a rational assessment of



panpsychism. The book is in fact a kind of preliminary exercise; an assembling of materials to facilitate the detailed philosophical consideration of panpsychism; and as such it succeeds very well.

Nevertheless, it is also a work of advocacy. Skrbina's own panpsychist sympathies are made clear throughout, as is his belief that the development of a panpsychist world-view could have a deep and beneficial impact on our whole culture. The last words of the book call on us to "learn the lessons of history, and transcend the crude, destructive and ultimately dehumanizing materialist worldview" (p. 269). Skrbina does clearly articulate the basic appeal of panpsychism; if one wants to see us as being continuous with the rest of nature, but does not want to reduce, eliminate or otherwise debunk our mentality, then it does seem natural to conclude that mentality in some form must exist throughout the nature with which we (as mental beings) are continuous. But here is the problem. It seems wildly implausible to attribute anything much like our consciousness to all things; but if the "mentality" attributed to them is different enough from ours for such attribution to look plausible, that difference will have to be so great that it will undermine the sense of continuity between us and the rest of nature. I can't see that any of the many variants of panpsychism that Skrbina discusses has provided a really convincing response to this dilemma. However, this is a problem that is worth more consideration than it has received in recent times and one may hope that Skrbina's book will help to attract more critical attention to it.—Anthony Rudd, *St. Olaf College*.

SMALL, Robin. *Nietzsche and Rée: A Star Friendship*. Oxford: Oxford University Press, 2005. xxiv + 247 pp. Cloth, \$45.00—The historical contextualization of Friedrich Nietzsche's philosophical thought has in recent years emerged as one of the most exciting areas of Nietzsche scholarship. On the one hand, it allows for an arguably more balanced approach to his writings than can be found among Nietzsche enthusiasts and critics alike. On the other, it also provides much insight into the complex intellectual trends of nineteenth-century Germany, highlighting the need to address the work of seemingly second-rate philosophers that are often excluded from the mainstream of the history of modern thought, such as Gustav Teichmüller, Afrikan Spir, and Paul Rée. In a previous collection of articles, Robin Small has already examined the influence of these and other philosophers on the development of Nietzsche's thought (Robin Small, *Nietzsche in Context*, Aldershot: Ashgate, 2001). The current volume continues in this direction and represents the first thorough discussion of the intellectual alliance between Nietzsche and his close friend, the German-Jewish philosopher Paul Rée, which lasted from 1873 to 1881.

As Small makes clear, these seven years—Nietzsche's so-called "middle period"—are of crucial importance, since they shape the course of his philosophical criticism in a fundamental way. Indeed, both his understanding of the task of philosophy and his emerging critique of tradi-



tional morality cannot be properly understood without taking into account Rée's writings, such as *Der Ursprung der moralischen Empfindungen* (1877) and *Psychologische Beobachtungen* (1875). Small, who has already translated some of Rée's writings into English (*Paul Rée, Basic Writings*, trans. and ed. Robin Small [Urbana, Ill.: University of Illinois Press, 2003]), is of course particularly qualified to address these issues.

At the center of Small's book stands the function of "Rééalism," as Nietzsche himself calls it. The latter is probably best understood as a naturalist account of human knowledge and agency that seeks to discard traditional metaphysical concepts. The two central principles of "Rééalism" are (a) that free will is an illusion, and (b) that moral consciousness cannot have a transcendental origin. One of the implications of these principles is, for instance, that immoral means can be seen as contributing to the greater social good, whereas Kant's categorical imperative—mainly because of its transcendental grounding—cannot provide a serious starting point for any assessment of morality. Kant scholars will find Rée's assertions problematic, but within the context of the later nineteenth century they accurately reflect the crisis of modernity.

In the first part of his book, Small shows how Nietzsche, influenced by Rée, slowly begins to adopt a naturalist position by the mid-1870s (pp. 66–70). The account of human knowledge and agency that gains shape in both *Human, All Too Human* (1878–80) and *The Gay Science* (1882) is in many ways indebted to Rée's assumption that metaphysical positions are marked by two illusions that are ultimately responsible for the strength of the belief in the universal validity of moral concepts: the illusion of free will and the illusion of intrinsic goodness (or badness). Nietzsche's demand for a "historical philosophizing" remains one of the central consequences of this position and he begins to conceive of philosophy as both a scientific and a historical enterprise: "Just as the theory of evolution denied any radical difference between the human species and other forms of life, so an inquiry into the origin of the moral sense will eliminate some of the dichotomies that the moral sense presents as self-evidently valid for feelings and the concepts that express them" (pp. 70–71).

Although Rée himself shares this approach, in the second half of the book Small examines how and why Nietzsche increasingly begins to distance himself from "Rééalism." While Rée understands philosophy as a predominantly descriptive and explanatory undertaking, Nietzsche himself argues during the early 1880s that the task of philosophy is in fact normative in that the "philosopher of the future" creates new values and standards for human agency, thus overcoming the "herd instinct" that shapes traditional moral communities. Nietzsche's emerging philosophy of power is clearly incompatible with Rée's writings. In this context, Small also highlights the importance of Nietzsche's reception of Walter Bagehot as well as his critique of Herbert Spencer's evolutionary ethics and Darwin.

Even though Small revisits some much-discussed topics of Nietzsche's biography—such as the peculiar relationship to the young Lou Salomé, which ultimately contributed to his personal alienation from



Rée—he also sheds some new light on other aspects of Nietzsche’s biography, in particular Nietzsche’s attitude to the so-called “Jewish question,” which polarized intellectual culture in late nineteenth-century Germany. Small’s book is most interesting, however, when he focuses on the seemingly minute shifts in Nietzsche’s philosophical views against the backdrop of “Rééalism.” This is an important scholarly achievement within the field of Nietzsche studies.—Christian J. Emden, *Rice University*.

SORELL, Tom. *Descartes Reinvented*. New York: Cambridge University Press, 2005. xxii + 180 pp. Cloth, \$75.00—The reader of Tom Sorell’s excellent book gets a strong hint of what’s to come from the very first words of the text: “In much of Anglo-American philosophy, ‘Cartesian’ is a dirty word” (p. ix). Sorell quickly makes it clear that it is this view of ‘Cartesian’ and the related view of Descartes himself which is to be challenged in the pages to come. Indeed, an equally fitting title for this book would have been “Cartesianism Reinvigorated”, for Sorell’s aim is not (only) to correct a mistaken understanding of Descartes, but to recommend as on-target much of what this corrected Cartesianism holds. Sorell calls the Cartesianism which Descartes himself held “unreconstructed Cartesianism,” and he identifies six key elements of it: a realism concerning the order of nature (that is, that nature exists as it does independently of us); antiscepticism; epistemological rationalism and foundationalism; the first-person nature of many of the beliefs out of which this foundation is constructed; substance dualism; and the need for a metaphysical grounding for the natural sciences. With what is this to be contrasted? For Sorell, it is “innocent Cartesianism”: the (often unwitting) reinterpretations and revisions of Descartes’s thought—reputations of some but not all of unreconstructed Cartesianism—which can be found in contemporary philosophy. This distinction having been made, however, Sorell’s aim here is not to set the record straight, as it were, on just what ‘the real’ Descartes believed; rather, the book “tries to find common ground between what Descartes did say and have reasons for saying, and things that are worth arguing for in philosophy as we now have it” (p. xx).

This “common ground” is sought over the course of six chapters. In the first of these, Sorell asks (and proceeds to answer in the affirmative) whether Descartes can make good on his claim to achieve a full science (the branches of the tree: mechanics, medicine, and morals) from the starting points of his first philosophy (the roots of the tree). Investigating this question, Sorell examines the tool employed by Descartes in this process, namely, the radical doubt of the “First Meditation”, and the goal of Descartes’s larger project, namely, the supplanting of Aristotelian science (and philosophy of science). The self at the center of this doubt is not, Sorell argues, a solipsistic self, but a (quite un-Aristotelian) species-less self, that is, a non-human self, and thus a self not encumbered by the things (for example, the senses) which lead one away from discover-



ing the true nature of the world. The function of the senses is to protect the mind-body union, the human being; it is this species-less self as *res cogitans* that can come to know how the world really is. It should be noted, though, that the chapter is not merely an interpretation of the aims of the "First Meditation"; it also makes good on the author's earlier promise to focus on "things that are worth arguing for in philosophy as we now have it" by containing thoughtful discussions of Williams, Putnam, Wittgenstein, Strawson, Anscombe, and Shoemaker on both doubt and self-reference.

Subsequent chapters follow the model of the first; Chapter Two addresses Descartes's views on knowledge in general and internalism in particular, and contains discussions of the works of Goldman, Fumerton, and Alston in connection with the latter. The topic of Chapter Three is Descartes's foundationalism and its relation to both natural science and anti-scepticism; with regard to these matters, Sorell's position is that "there is a significant scope for innocent Cartesianism" (p. 59). The fourth chapter turns to Descartes's understanding of the mind, beginning with his motivations for positing an immaterial soul to account for human reason, and concluding with consideration of works in contemporary philosophy of mind by Galen Strawson, McGinn, Nagel, Chalmers, and Dennett. The place of reason and its relation to emotion in Descartes's thought follows in the next chapter, as does an extended critique of the interpretation of Descartes found in Damasio's *Descartes' Error*. The final chapter of the book looks into charges of misogyny and speciesism which have been leveled at Descartes in recent years.

Sorell's is a work in both Descartes scholarship (that is, a study which argues for what Descartes actually believed), and analytic epistemology and philosophy of mind. Rather than warping the former to fit (for better or worse) neatly into the latter two fields, it holds that doing the former correctly provides us with something instructive to the latter two fields. Sorell does a first-rate job of making his case, and whether the reader is a Descartes scholar, an analytic epistemologist, a philosopher of mind, or none of these, there is a lot of very good philosophy in this book from which one can learn.—Fred Ablondi, *Hendrix College*.

STONE, Allison. *Petrified Intelligence: Nature in Hegel's Philosophy*. Albany: SUNY Press, 2005. xxiii + 224 pages. Cloth, \$86.50; paper, \$24.95—Given the shortage of recent positive appropriations of Hegel's philosophy of nature, *Petrified Intelligence* investigates the *Naturphilosophie* not merely for its historical interest or place in the larger system, but for what—assuming such terminology still maintains some of its natural significance—is still living in Hegel's philosophy of nature. In particular, Stone argues that because it holds that nature is itself a kind of good (in the sense developed at the end of the *Logic*), Hegel's philosophy of nature offers valuable resources for contemporary environmental discussions. Though Hegel credits the phrase "petrified



intelligence" to Schelling, Stone passes over the historical origins of Hegel's views on nature, arguing that any such investigations must presuppose a thorough understanding of the content of the *Naturphilosophie*.

Instead of granting Hegel's claims of the identity of the a priori and empirical in the concept, Stone begins by answering the oft-heard criticism that Hegel's nature has no relation to actually observed nature, and thus her first task is to show that an a priori, "metaphysical" approach to nature can have any claim to truth when at odds with natural science. To this end, she contrasts a "strong a priorism" that reinterprets scientific claims in light of an a priori theory of nature with a "weak a priorism" that merely reconstructs empirical judgments in a priori form. While Stone finds textual support for both strong a priori and weak a priori readings of Hegel, she argues that only strong a priorism can simultaneously criticize the metaphysical foundations of natural science and resist the inclination to absolutize fallible empirical judgments. Hegel's Philosophy of Nature presents a theory of nature that disallows certain empirical possibilities but still leaves a place for the irreducible contingency of material nature.

According to Stone's reconstruction, Hegel makes four sorts of argument in favor of a metaphysical, strong a priori approach to nature—the first two largely untenable and the last two more promising but also ultimately flawed. The first is that the Philosophy of Nature offers a better explanation for observable phenomena than empirically derived theories do. By observing only the static and isolated products of nature, the argument runs, empirically based explanations overlook nature's dynamism and unique teleological form of rationality. Yet Hegel frames his discussion around the particular dilemmas of early nineteenth century physics, in which the studies of mechanics, chemistry, and dynamics were still genuinely fragmented. When compared to more recent efforts to unify these disparate phenomena (including, presumably, the electron valence theory and genetic theory of biological inheritance), Hegel's speculative explanations of nature's unity seem vacuous and merely formal.

The second potential argument for Hegel's a priori account of nature is that it follows necessarily from the principles of his system. Under this argument, any incompatibilities between Hegel's claims and observable nature would be merely apparent, since nature could not possibly be different than the system describes it. But this assumes, Stone claims, that the Philosophy of Nature develops linearly from the Logic, which fails to explain how the merely logical "switches over" into nature. If, on the other hand, the Logic is empty until it can be applied to material objects, then this gives us no reason to accept a priori Hegel's particular claims about nature.

A third argument is that Hegel's philosophy of nature is uniquely adequate to our experience of nature. Whereas natural science conceives nature as merely a collection of isolated things, the *Naturphilosophie* responds to our primordial sense of nature as elemental, and thus recognizes that what it means for something to be natural is in part determined by human sensibility. While Stone finds this argument potentially



productive for an environmental philosophy, she recognizes that it would be unconvincing to anyone who assumes a sharp divide between nature and our perception of it and thus begs the question.

Stone is most intrigued by a fourth argument: that natural science fails to recognize the intrinsic goodness of all natural forms. After analyzing the broadly Aristotelian account of the good that Hegel lays out at the end of both the *Greater* and *Lesser Logics*, Stone argues that it ought to apply especially to nature, which gives rise to the concept in increasingly perfect ways, and thus that Hegel is inconsistent in denying that humans have duties to nature. Therefore, while Hegel does not prove that a “reenchanted” conception of nature is more ethically defensible than natural science’s, he helps us envision a world in which science is allowed to develop independently of an a priori theory of nature, but in which our relations to nature are governed by an a priori sense of nature’s goodness.—Christopher Lauer, *The Pennsylvania State University*.

THOMSON, Iain D. *Heidegger on Ontotheology: Technology and the Politics of Education*. New York: Cambridge University Press, 2005. xx + 202 pp. Cloth, \$70.00; paper, \$24.99—Iain Thomson sets himself a difficult task in this study of Heidegger’s thinking on education, given that Heidegger’s most practical involvement with educational politics (as rector of the University of Freiburg in 1933) was also an explicit political recognition of the Nazi regime. Thomson argues both that Heidegger’s political actions stem directly from his philosophy and that the “political mistake” (Heidegger’s description) teaches Heidegger a philosophical lesson, leading Heidegger to abandon not his dream of reforming education, but rather the fundamental ontology of his earlier thinking.

Chapter One lays the ground for Thomson’s argument, by arguing that dismantling the metaphysical tradition is central to Heidegger’s thinking as a whole. For Heidegger, all metaphysics is “ontotheology,” meaning that it is foundationalist in two directions simultaneously—it tries to grasp both the most basic kind of being and the highest kind of being (as in Aristotle, where substance and prime mover both seem to ground the metaphysical description of what is). Heidegger’s deconstruction of the metaphysical tradition reveals how each epoch repeats this two-way movement. The ontotheological structure sets limits to how beings can be understood within the dominant metaphysical paradigm; hence metaphysics is “the truth of the totality of entities as such” (p. 11). However, any metaphysics is only a partial understanding of being, because being is philosophically inexhaustible. Heidegger’s positive project for the future is to bring to our attention to ways of being that break with our given paradigm.



Underlying the different shapes of ontotheology is not a fundamental ontological structure as described in *Being and Time*, but rather being —“that which gives rise to our worlds of meaning without ever being exhausted by them, a dimension of intelligibility we experience primarily as it recedes from our awareness, eluding our attempts finally to know it, to grasp and express it fully in terms of some positive content” (p. 27). Thomson’s main source for this interpretation is Heidegger’s lectures on Nietzsche from the late thirties, but he contends that this project of deconstruction runs through most of Heidegger’s thinking.

It is precisely the emphasis on the historicist understanding of metaphysics that allows Thomson to offer an interesting defense of Heidegger’s philosophy of technology. Today’s technological “enframing”—the understanding of our surroundings, human or otherwise, as resources for manipulation—is the counterpart to the nihilist metaphysics characteristic of our epoch. Formulating his defense of Heidegger against Andrew Feenberg’s criticisms, Thomson argues that Heidegger is not an essentialist with respect to technology, because ‘essence’ is necessarily historical for Heidegger (p. 53). Similarly, Heidegger is not a fatalist about technology, because the nihilist ontotheology underlying the “age of technology” is no more substantive than that of any other epoch, and this paradigm’s hold on us can be resisted through action (in this connection, however, Thomson quotes Hubert Dreyfus, not Heidegger: p.53). Thomson argues quite convincingly that the alternative to a technological mindset is not some anti-modern return to rural life; one could break with the technological mindset while still making use of various technologies.

The shifting ontotheologies also explain Heidegger’s goal for a reformed education. Learning to become aware of phenomena that go beyond the given metaphysical framework is the first step towards a real *Bildung*. Built into Heidegger’s notion of education is a perfectionist ideal, since disclosing being is also the essence of being human (p. 170). Thomson argues that at every step in his career, Heidegger’s aspiration for university reform is to break down the specialization of different fields, since the “regional ontologies” around which the different academic disciplines are organized are relative to a particular metaphysical paradigm (p. 117). This goal is not weakened by Heidegger’s association with the Nazi regime; rather, Heidegger’s mistake is that he thinks such change can be dictated from the top, by the university rector, when indeed epochal change can only happen slowly, through generations and within the disciplines themselves. According to Thomson, Heidegger’s earlier thinking lends itself to such hubris, because it appears to reveal a foundation for a reorganization of the sciences.

The impressive achievement of this book is the way Thomson, by focusing on Heidegger’s historicist understanding of metaphysics, manages to make the thought of “the later Heidegger,” so often charged with obscurity and mysticism, accessible and philosophically interesting. Thomson also avoids both dismissal or apology with respect to Heidegger’s involvement with the NSDAP, while showing how Heidegger is a consistent and insightful critic of late modern culture. However, the reward at the end might not satisfy someone looking for a way to improve the state of education, specialized and commercialized



as it has become. Heidegger's positive program for a reformed platonic *paideia*, helping people realize the relativism of the present metaphysical world view, will hopefully result in people "uncovering, contesting, and transcending the nihilistic ontotheology of the age" (p. 180). For this somewhat disappointing abstractness, however, Heidegger is to blame, not Thomson.—Ingvid Torsen, *Boston University*.

VER EECKE, Wilfried. *Denial, Negation, and the Forces of the Negative—Freud, Hegel, Lacan, Spitz, and Sophocles*. SUNY Series in Hegelian Studies. Albany: State University of New York Press, 2006. ix + 190 pp. Cloth, \$55.00—This book presents a multifaceted, inspiring weave of themes connecting philosophy and psychoanalysis, a true tapestry covering in depth the many aspects of negativity at three levels: anthropological, epistemological, and ontological. In this way, Ver Eecke demonstrates—via Hegel, Freud, Lacan, and Spitz—the necessity of the negative, and how the ontological paradoxes of life can be clarified by exploring the interconnections between intellectual knowledge and emotions.

The philosophical importance of the book lies in the fact that the author connects the seeming arbitrariness of subjectivity to the necessity of facing, anthropologically, negativity at the different stages of human life to arrive at a positive outcome—that is, a freedom that coincides with psychological autonomy. Ver Eecke takes the right approach to reckon with negativity by making it the royal road to undo denial, a faulty way of avoiding repressed truths about oneself.

The author demonstrates why negativity is so important to arrive at self-knowledge. Going from an ineffective attitude, that is, denial, to self-knowledge requires a long itinerary that bears some resemblance to the one developed by Hegel in the *Phenomenology of Spirit*, but with the added contributions of psychoanalysis.

Step by step, in the first chapter of a cohesive whole, Ver Eecke explains the significance of denial by defining it as a verbal, expressive negation that makes action impossible. That is why it is so vital to undo denial and to understand its mechanisms.

At the epistemological level an individual who has a false image of himself cannot be judged moralistically nor be called a liar. From the epistemological level, therefore, the next step is to look at denial anthropologically, by considering it a weakness of the agent. Accordingly, after giving an account of Hegel's master-slave dialectic, the theme of the will is introduced in order to solve the paradox derived from the split between mind and body, and, in addition, between emotions and rationality. The will of an individual must find an object, since to be undirectional would be a form of despair, but the will cannot be arbitrary, it cannot be just an end in itself. And even if it is considered as a means to



reach a precise aim, not even the eudemonic will can assure the desired outcome. An alternative reasonable norm of comportment must be found.

The will and denial belong to different ontological domains, but denial is more than a defense against despair, it is also a category mistake, related to an arbitrary will; still, as a linguistic act, denial must be understood developmentally. In the child, negation is a necessary step that is then followed by growth. This is why Spitz's notions of the organizers of psychic structures become relevant, but they must also be further specified. Organizers such as the child's smile and the later manifestation of "no saying" that signals a child's autonomy and independence at about fifteen months of age must be called strong organizers, since they bring forth "a higher level of activity in the child" (p. 61). A weak organizer, instead, such as the anxiety typical of the eight-months-old is, actually, only an indicator. These valuable notions are, then, considered in the light of Lacan's theory of the mirror stage, when the child's appropriation of his body reveals a paradoxical situation that marks a split in the child: the child is happy, but also vulnerable and fragmented. With the mirror stage, Ver Eecke firmly states that "seeing one's own body transforms the body" (p. 75).

In what can be considered the second part of the book, Ver Eecke proceeds to interpret Sophocles' *Oedipus, the King* to show how a denial can be undone without aggressively objectifying a given person. Though the purpose is not to present a theory of tragedy *per se*, the sixth chapter of the book acts as an extension of the previous ones in establishing the necessity of a metaphorical move away from an unconscious form of self-deception; such a move is all the more crucial because Freud did not elaborate on how to undo a denial. Ver Eecke, then, discusses the autobiography of Anthony Moore, who, starting from a self-alienating over-identification with a parental figure, was courageous enough to accept the help of others close to him and familiar with his cultural milieu, with the result that he finally accepted his difficult truths both epistemologically and emotionally. Ultimately, though, the "truth about oneself can only be discovered by the self" (p. 125). These last words of Ver Eecke's book point to a promising self-fulfillment that goes beyond Oedipus' tragedy.—Marcella Tarozzi Goldsmith, *New York, NY*.



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### PHILOSOPHICAL ABSTRACTS

AMERICAN CATHOLIC PHILOSOPHICAL QUARTERLY  
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*Anselm's Definition of Free Will: A Hierarchical Interpretation,*  
STAN R. TYVOLL

Anselm defines free will as "the ability to keep uprightness of will for the sake of uprightness itself" rather than as the ability to sin or not sin. I fulfill two objectives pertaining to his definition. First, I show that his definition should be interpreted as a hierarchical account of free will, one that emphasizes the idea that an agent's will is free if she is able to have the will she wants to have. The interpretation is based on Anselm's hierarchical account of the structure of the will. Secondly, I show that Anselm's theory of ultimate responsibility, when added to the hierarchical interpretation of his definition, provides an answer to one of the primary objections to the hierarchical approach to free will.

*Aquinas and Onto-Theology,* MEROLD WESTPHALL

For Heidegger, onto-theology is the use of abstract, impersonal categories under the principle of sufficient reason that has one goal and two results. The goal is to make God fully intelligible to human understanding. The results are the disappearance of mystery from our understanding of God and the loss of any religious significance for the "God" that results. I argue that Aquinas is not guilty of onto-theology because his use of abstract, impersonal categories is subsumed (*aufgehoben*, teleologically suspended) in his use of personal categories and because his doctrine of analogy retains mystery in our understanding of God.

*The Thomistic Telescope: Truth and Identity,* JOHN MILBANK

The following essay explores the way in which notions of truth are linked to those of secure identity and hence to certain mathematical issues, from Plato and Aristotle onward. It argues that this recognition underlies

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\*Abstracts of articles from leading philosophical journals are published as a regular feature of the *Review*. We wish to thank the editors of the journals represented for their cooperation, and the authors of the articles for their willingness to submit abstracts. Where abstracts have not been submitted, the name and author of the article are listed.



traditional resorts to notions of form or *eidos* as securing both particular and general identity—at once the integrity of things and the link among things. I contend that nominalism rightly saw that there were certain problems with this notion in terms of the strict application of the logical law of identity and the recognition of the “artificial” character of human understanding. However, I also argue that the most extreme fulfillment of the nominalist program after Frege itself ran foul of the law of identity because of the paradoxes of set theory. In the face of this double impasse I press for a re-configured Thomistic realism, taking account of the insights of Nicholas of Cusa that would abandon the ultimacy of the law of identity as paradoxically the only way to save identity and so truth, and would admit that the passage to the recognition of universals lies through the human creative construction of universals. Realism can still be saved here because in the Divine Son or Logos, in whom human reason participates, divine ideas are at once made and seen.

*The Theory of Friendship in Erasmus and Thomas More*, JAMES MCEVOY

The foundation of humanist friendship and its purpose lay in the sharing of the Christian faith accompanied by the love of classical letters. The ideas of Erasmus concerning friendship are best developed in his *Adagia*, and thus in relationship to the ancient proverbs on the subject. The approval given by him to the classical, humanistic ideal of noble, virtuous, equal, and lasting friendship contrasts with Thomas More's traditional conception of friendship which derived directly from Christian sources. More held that the experience of friendship is a partial anticipation of the secure friendship of heaven, where we may hope that all will “be merry together”—not just our friends in this life but our enemies too.

*Tradition, Dialectic, and Ideology: Contemporary Conflicts in Historical Perspective*, VINCENT COLAPIETRO

The task of philosophy is examined in reference to the actual circumstances of academic philosophy, principally in the United States. The author challenges the still prevalent tendency to conceive academic philosophy as an affair split into two camps—most often identified as analytic and Continental philosophy. Moreover, he proposes a distinctive understanding of the dialectical approach to philosophical query, one attuned to the traditional character of the relevant alternatives and also to the ideological dimension of contemporary disputes, but not one necessarily undertaken for sake of resolving disagreements or achieving consensus. The very goals animating the process of working through substantive, methodological, and other differences (in a word, animating dialectic) are themselves critical foci of an ongoing process open not only to question but also alteration: the aims of query are being continuously transformed or redefined in course of this undertaking. In proposing this understanding of dialectic, he draws heavily on the examples of Richard J. Bernstein, John McCumber, and especially John E. Smith. Finally, the author offers an example of how such an approach can be



effectively eliminated, even by an individual who in almost every other respect is an exemplary philosopher. If (as John Courtney Murray, S.J., asserts) civility "dies with the death of dialogue," philosophy can live only by the continual renewal of genuine dialogue across diverse traditions.

*Science of Being, Science of Faith: Philosophy and Theology according to Heidegger*, MICHAEL J. BROGAN

This essay is a critical investigation of Heidegger's insistence on the absolute difference between philosophy, defined as fundamental ontology, and theology, understood as the "ontic" "science of faith." Focusing primarily on two important works from 1927, "Phenomenology and Theology" and *Being and Time*, I argue that the distinction between the two disciplines begins to blur in light of the circular character of hermeneutical understanding as Heidegger himself describes it. Ontology, he concedes, has ontic roots in the authentic self-understanding of Dasein. I maintain that this understanding involves an interpretive decision that, lacking the pure phenomenological rationality Heidegger attributes to it, looks much like the faith he would banish from philosophy.

*Adventures of the Reduction: Jacques Taminiaux's Metamorphoses of Phenomenological Reduction*, DERMOT MORGAN

In his illuminating Aquinas Lecture Jacques Taminiaux offers a bold interpretation of certain contemporary European philosophers in terms of the way in which they react to and transform Husserl's phenomenological reduction. He highlights issues relating to embodiment, personhood, and value. Taminiaux sketches Husserl's emerging conception of the reduction and criticizes certain Cartesian assumptions that Husserl retains even after the reduction, and specifically the assumption that directly experienced mental acts and states are not given in adumbrations but present themselves as they are. Heidegger too does not escape a certain Cartesian dualism with his privileging of the individual authentic self over and against the inauthentic *das Man*. Taminiaux portrays post-Heideggerian philosophy (specifically Arendt, Jonas, and Levinas) as responding to failures or dualisms haunting Husserl's reduction. Taminiaux is right to insist on the importance of the reduction in Husserl and also, despite appearances, in Heidegger, but it is not clear that the meditations of Arendt, Jonas, and Levinas can really be seen as responding to failures in the reduction. Furthermore, Taminiaux downplays the centrality of Husserl's commitment to transcendental idealism and his representation of the epoch and reduction as ways of breaking through the natural attitude to reach the transcendental attitude of the non-participating spectator.



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*Sufficiency or Priority?* YITZHAK BENBAJI

The doctrine of sufficiency has become a popular theme for philosophical analysis. In particular, Roger Crisp has recently developed a very attractive version of it. The paper criticizes Crisp's version arguing against a general requirement to give priority to the less advantaged. It offers to resolve distributive conflicts in favor of another version of the doctrine which is distinctive insofar as it attaches importance to a plurality of critical thresholds, and regards the number of beneficiaries less important than the size of the benefits. Thus, the view requires us to benefit individuals in way that is sensitive to how many thresholds the beneficiaries fall below, the size of the benefits each might receive, and the number of potential beneficiaries.

*Quinean Skepticism about de re Modality after David Lewis*, JOHN  
DIVERS

The classic articulation of Quine's skepticism about de re modalizing is his Reference and Modality argument against the semantic and metaphysical coherence of de re modal predication. Lewis's theory of de re modality allows us to construct a response to Quine that shows up a crucial flaw in that argument. Moreover, Lewis's counterpart theory of de re modality is one that an exacting Quinean should find ideologically congenial. So what scope remains for a neo-Quinean, but post-counterpart-theoretic, skepticism about de re modalizing? The author considers, but resists, the natural thought that such skepticism ought to focus on the apparent ontological commitments of counterpart theory. Rather, he suggests, the natural and proper focus for a skepticism about de re modalizing is the continuing absence of any substantial account of the utility or function of de re modal judgment—an account that would rid us of the temptation simply to abstain from making such judgments.

*Empirical Concepts and the Content of Experience*, HANNAH  
GINSBORG

The view that the content of experience is conceptual is often felt to conflict with the empiricist intuition that experience precedes thought, rather than vice versa. This concern is explicitly articulated by Ayers as an objection both to McDowell and Davidson, and to the conceptualist view more generally. The paper aims to defuse the objection in its general form by presenting a version of conceptualism which is compatible with empiricism. It proposes an account of observational concepts on which possession of such a concept involves more than the ability for perceptual discrimination, but less than the capacity to employ the concept in inferences: it consists in the



capacity to perceptually discriminate objects with the awareness that one is discriminating as one ought. This understanding of concept-possession allows us make sense of experiences' having conceptual content without supposing that the subject must grasp the relevant concepts prior to having those experiences.

*Nietzsche's Metaphysics in the Birth of Tragedy*, BEATRICE HANS-PILE

This paper analyzes the metaphysical assumptions underlying the *Birth of Tragedy*. First, it argues against previous interpretations (in particular J. Young's) that reading the text from a strict Schopenhauerian perspective makes it impossible (a) to construe the Apollonian and the Dionysian without contradiction and (b) to understand the redemptive function attributed to art by the Birth. Second, the paper offers a reconstruction of Nietzsche's inchoate *Artisten Metaphysik* which allows for both. Finally, it examines the status of this metaphysics. Against the widely spread view that Nietzsche cannot have been serious about it, that it must be seen as a myth and ultimately discarded, the paper argues that Nietzsche was serious about this metaphysics precisely insofar as he saw and offered it as a myth, a claim which is grounded in a reexamination of the relation between knowledge, myth and metaphysical truth in Nietzsche's early work.

*Non-Mereological Universalism*, KRISTIE MILLER

This paper develops a version of universalism that is non-mereological. Broadly speaking, nonmereological universalism is the thesis that for any arbitrary set of objects and times, there is a persisting object, which, at each of those times, is constituted by those of the objects that exist at that time. The author considers two general versions of nonmereological universalism, one which takes basic simples to be enduring objects, and the other which takes simples to be instantaneous. One version, universalist endurantism, is 'non-mereological' in that the relation that holds between instantaneous fusions and persisting objects is not the part/whole relation, but rather, is the relation of constitution. The author argues that universalist endurantism not only has the various benefits of mereological universalism in allowing vagueness to be explicated as semantic indeterminacy, but in addition allows the endurantist to hold that some properties are genuinely intrinsic and are exemplified simpliciter.

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INTERNATIONAL PHILOSOPHICAL QUARTERLY  
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*Modest Evidentialism*, SCOTT F. AIKAN

Evidentialism is the view that subjects should believe neither more than nor contrary to what their current evidence supports. I will critically present



two arguments for the view. A common source of resistance to evidentialism is that there are intuitive cases where subjects should believe contrary to their evidence. I will present modest evidentialism as the view that subjects should believe in accord with what their evidence supports, but that this norm may be overridden under certain conditions. As such, a modest evidentialism accommodates the intuitions behind a good deal of traditional anti-evidentialism.

*Kant on Conscience, 'Indirect' Duty, and Moral Error*, JENS  
TIMMERMANN

Kant's concept of conscience has been largely neglected by scholars and contemporary moral philosophers alike, as has his concept of 'indirect' duty. Admittedly, neither of them is foundational within his ethical theory, but a correct account of both in their own right and in combination can shed some new light on Kant's moral philosophy as a whole. In this paper, I first examine a key passage in which Kant systematically discusses the role of conscience, then give a systematic account of 'indirect' duties and the function of hypothetical imperatives in the course of their generation. I then turn to the possibility of moral error and the part 'indirect' duty can play in its prevention. In conclusion, I try to show how clarifying the concept of 'indirect' duty can help us to shed light on the nature of Kantian ethics as a whole.

*Leibniz on Concept and Substance*, MICHAEL K. SHIM

A historically persistent way of reading Leibniz regards him as some kind of conceptualist. According to this interpretation, Leibniz was either an ontological conceptualist or an epistemological conceptualist. As an ontological conceptualist, Leibniz is taken to hold the view that there exist only concepts. As an epistemological conceptualist, he is seen as believing that we think only with concepts. I argue against both conceptualist renditions. I confront the ontological conceptualist view with Leibniz's metaphysics of creation. If the ontological conceptualist interpretation were right, then Leibniz could not invoke compossibility as a criterion of creation. But since he does invoke compossibility as a criterion of creation, the ontological conceptualist approach cannot be right. I confront the epistemological conceptualist interpretation with Leibniz's assertion of non-conceptual content. Since Leibniz acknowledges non-conceptual content at least when it comes to metaphysical knowledge, Leibniz could not have been an epistemological conceptualist either. So, Leibniz could not have been a conceptualist at all.

*Stoic Realpolitik*, FIRMIN DEBRANANDER

Thanks to its doctrines of natural right and moral egalitarianism And to its prominent historical role in defying totalitarian government, Stoicism is often cited as a touchstone for liberal democracy. Less well known, however, is an alternate lineage, culminating in a Stoic Realpolitik that emerges in Justus Lipsius's political writings. The foundation of this Realpolitik becomes increasingly clear in the progression of Stoic thought through Seneca, Epicte-



tus, and Marcus Aurelius. Tracing this lineage reveals that the subject of politics is fundamentally problematic for Stoicism, especially since the denigration of politics is central to Stoic ethics. The Stoics ultimately arrive at a surprising moral pessimism, evidenced most prominently in the *Meditations*. In Lipsius's version of Stoic Realpolitik, the populace is characterized with inconstancy of behavior, and Stoicism is viewed as a resource for steeling the prince's character against the masses, whose moral emendation is hopeless.

*The Aristotelian Prescription: Skepticism, Retortion, and Transcendental Arguments*, ADRIAN BARDON

From a number of quarters have come attempts to answer some form of skepticism—about knowledge of the external world, freedom of the will, or moral reasons—by showing it to be performatively self-defeating. Examples of this strategy are subject to the criticism that they fail to shift the burden of proof from the anti-skeptical position, and so fail to establish the epistemic entitlement they seek. To these approaches I contrast one way of understanding Kant's core anti-skeptical arguments in the *Critique of Pure Reason*. Kant's goal is the more modest one of showing the applicability of the concepts of substance and cause to experience, against those who might call such application incoherent or a category mistake. I explain why this goal makes Kant's approach more promising than those of neo-Kantian practitioners of otherwise structurally-similar strategies.

*Potential Being and the Source of Cosmic Order*, GARY ATKINSON

This paper argues (a) that the concept of 'potential being' is central to the theory and practice of contemporary cosmology and evolutionary science, and (b) that the reality of potential being points to the existence of an intelligent and purposive cause of the intelligible order among potential beings that existed from the first moments of the Big Bang. The paper introduces and explains the concept of 'potential being' and then traces the existence of potential beings back to the beginnings of the cosmos at the instant of the Big Bang. This primeval existence of potential beings is shown to possess a character and order that points to a cause external to that order. The paper concludes with a consideration of the features that must be possessed by that external cause in order to make sense of what we know.

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INTERNATIONAL PHILOSOPHICAL QUARTERLY  
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*MacIntyre and the Moralization of Enquiry*, CHRISTOPHER TOLLEFSEN

Are there moral norms or virtues, the application or exercise of which are necessary for successful progress in enquiry? This paper considers the



work of one thinker who is convinced of an affirmative answer to this question, Alasdair MacIntyre. For MacIntyre, the possibility of progress in enquiry depends, ultimately, on the way in which the virtues, and related normative requirements such as that demanding narrative unity to a life, shape and govern the context and practice of enquiry. Correlatively, MacIntyre has identified the role that moral failings can play in intellectual error and corrupted forms of enquiry.

*Hegel on the Life of the Understanding*, DAVID MORRIS

This article clarifies Hegel's argument within "Force and the Understanding" in his *Phenomenology of Spirit* by developing Hegel's underlying point through discussion of recent and ongoing issues concerning explanation in natural and psychological science. The latter proceeds by way of a critical discussion of the problem of other minds and the "theory theory of mind." The article thereby shows how and why Hegel's analysis of the understanding inaugurates a crucial transition in his *Phenomenology*, from consciousness to self-consciousness and life. Putting Hegel's underlying points into conversation with recent science shows how his point—that scientific understanding is not abstract but embedded in human life—still speaks to science.

*Aquinas on Non-Voluntary Acts*, JEFFREY HAUSE

Aquinas argues that an agent's act may be voluntary, involuntary, or even non-voluntary. An agent performs a non-voluntary act on these conditions: (a) the agent does not know the act falls under a certain description D, (b) the act under D is not contrary to the agent's will, and (c) if the agent had known that the act fell under D, the agent would still have performed it. Aquinas's full account of non-voluntary acts is terse and ambiguous and seems to contradict his fuller, more articulate, and philosophically rich views on voluntary and involuntary acts. The appearance of inconsistency, however, is illusory. Once understood, his account of non-voluntary acts clarifies various aspects of his theory of responsibility that are hard to glean from other discussions and reveals just how strongly Aquinas is inclined to Augustinian internalism.

*Wu-wei and the Decentering of the Subject in Lao-Zhuang: An Alternative Approach in the Philosophy of Religion*, CHANGCHI HAO

This essay attempts to provide an alternative approach to the philosophy of religion through a new interpretation of Daoist philosophy in light of Husserl's phenomenology. I argue that Lao-Zhuang's wu-wei should be understood as a reduction of our existential and conceptual beliefs about the reality of this world. In Lao-Zhuang, wu-wei is related to the theme of decentering of the subject. In order to be a true self, we have to make space at the core of our being for Dao to appear. The authentic selfhood is constituted in its correct relation to Dao. In Daoist philosophy of religion, the center of gravity in the relation between Dao and the world (or worlds) is shifted from



this world to Dao, and the problematic in the philosophy of religion is displaced from a truth-oriented issue to a receptivity issue.

*The Humanity of the Word: Personal Agency in Hermeneutics and Humanism*, JOHN ARTHOS

Gadamer's hermeneutic project is an effort to rejoin what he called the "unbroken tradition of rhetorical and humanist culture" to its own thought. My focus here is on the distinctive hermeneutic schematism of persons and culture in conjunction with the Renaissance doctrine of prudence. The complex hermeneutic understanding of human community requires a balancing act that privileges the agency of language and culture by denying the domination of the sovereign self. Further, it employs a reflux or interanimation that refuses to diminish the dignity of the person. Classical and Christian humanism already had something of this complex notion of agency that served as a seedbed for the hermeneutic achievement. By reading that earlier conception through the lens of his own time, Gadamer's complex voicing of personhood expresses the dispersion and unity of human being as a unique balance of classical and modern insight.

*Second-Best Realism and Functional Pragmatism*, JAMES W. FELT, S.J.

The functional pragmatism advocated by Nicholas Rescher derives from the conviction that we have no strict evidence for the existence of extramental reality and therefore must postulate it in order to make any sense of truth, communication, and scientific projects. This essay challenges Rescher's starting point by arguing that the reason extramental reality cannot be argued to is because it is immediately evident. But then to claim that one must postulate it is to adopt only a second-best kind of realism.

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*Beeckman, Descartes and the Force of Motion*, RICHARD ARTHUR

In this reassessment of Descartes' debt to his mentor Isaac Beeckman, I argue that they share the same basic conception of motion: the force of a body's motion—understood as the force of persisting in that motion, shorn of any connotations of internal cause—is conserved through God's direct action, is proportional to the speed and magnitude of the body, and is gained or lost only through collisions. I contend that this constitutes a fully coherent ontology of motion, original with Beeckman and consistent with his atomism, which, notwithstanding Descartes' own profoundly original contributions to the theory of motion, is basic to all Descartes' further work in natural philosophy.



*The Eleatic Descartes*, THOMAS LENNON

Given Descartes's conception of extension, space and body, there are deep problems about how there can be any real motion. The argument here is that in fact Descartes takes motion to be only phenomenal. The paper sets out the problems generated by taking motion to be real, the solution to them found in the Cartesian texts, and an explanation of those texts in which Descartes appears on the contrary to regard motion as real.

*Concurrence or Divergence? Reconciling Descartes's Physics with his Metaphysics*, HELEN HATTAB

This paper interprets Descartes's use of the Scholastic doctrine of divine concurrence in light of contemporaneous sources, and argues against two prevailing occasionalist interpretations. On the first occasionalist reading God's concurrence or cooperation with natural causes is always mediate (i.e., concurrence reduces to God's continual recreation of substances). The second reading restricts God's immediate concurrence to his co-action with minds. This paper shows that Descartes's metaphysical commitments do not necessitate either form of occasionalism, and that he is more plausibly and charitably read as appropriating elements of Scholastic views on concurrence to bridge the gap between his metaphysics and physics.

*The Evolution of Henry More's Theory of Divine Absolute Space*, JASPER REID

This paper charts the gradual development of a theory of real space, underlying the created world and constituted by the extension of God Himself, in the writings of the Cambridge Platonist, Henry More. It identifies two impediments to More's embracing such a theory in the earlier part of his career, namely his initial commitment to the principles that (a) space was not real and (b) God was not extended, and it shows how he finally came to renounce these principles in order to devise the theory so closely associated with him.

*A Dialogue with Descartes: Newton's Ontology of True and Immutable Natures*, JIM MCGUIRE

This article is concerned with Newton's appropriation of Descartes' ontology of true and immutable natures in developing his theory of infinitely extended space. It contends that unless the part played by the Platonic distinction between "being a nature" and "having a nature" in Newton's thinking is properly appreciated the foundation of his doctrine of space in relation to God will not be fully understood. It also contends that Newton's Platonism is consistent with his empiricism once the mediating role is made clear that the geometry of moving loci play in grounding his intuitions concerning infinite natures.



*Newton and the Reality of Force*, ANDREW JANIAK

Newton's critics argued that his treatment of gravity in the *Principia* saddles him with a substantial dilemma. If he insists that gravity is a real force, he must invoke action at a distance because of his explicit failure to characterize the mechanism underlying gravity. To avoid distant action, however, he must admit that gravity is not a real force, and that he has therefore failed to discover the actual cause of the phenomena associated with it. A reinterpretation of Newton's distinction between the "mathematical" and the "physical" treatment of force indicates how he can reject each horn of this dilemma.

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THE PHILOSOPHICAL QUARTERLY  
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*A New Argument for Evidentialism*, NISHI SHAH

When we deliberate whether to believe some proposition, we feel immediately compelled to look for evidence of its truth. Philosophers have labelled this feature of doxastic deliberation 'transparency.' I argue that resolving the disagreement in the ethics of belief between evidentialists and pragmatists turns on the correct explanation of transparency. My hypothesis is that it reflects a conceptual truth about belief: a belief that *p* is correct if and only if *p*. This normative truth entails that only evidence can be a reason for belief. Although evidentialism does not follow directly from the mere psychological truth that we cannot believe for non-evidential reasons, it does follow directly from the normative conceptual truth about belief which explains why we cannot do so.

*No Norm Needed: on the Aim of Belief*, ASBJØRN STEGLICH  
PETERSEN

Does transparency in doxastic deliberation entail a constitutive norm of correctness governing belief, as Shah and Velleman argue? No, because this presupposes an implausibly strong relation between normative judgements and motivation from such judgements, ignores our interest in truth, and cannot explain why we pay different attention to how much justification we have for our beliefs in different contexts. An alternative account of transparency is available: transparency can be explained by the aim one necessarily adopts in deliberating about whether to believe that *p*. To show this, I reconsider the role of the concept of belief in doxastic deliberation, and I defuse 'the teleologist's dilemma.'



*Berkeley on Immediate Perception: Once More unto the Breach,*  
GEORGES DICKER

I have previously argued that within an argument to show that we cannot perceive the causes of our sensations, Berkeley's Philonous conflates a psychological and an epistemic sense of 'immediately perceive,' and uses the principle of perceptual immediacy (PPI), that whatever is perceived by the senses is immediately perceived. George Pappas has objected that Berkeley does not operate with either of these concepts of immediate perception, and does not subscribe to (PPI). But I show that Berkeley's argumentative strategy requires him to use these two concepts, and that the concept of immediate perception Pappas attributes to Berkeley would weaken this strategy. I also defend attributing to Berkeley a slightly modified version of (PPI), on which it both serves his strategy and allows sense perception to incorporate what he calls 'suggestion.'

*Strict Conditionals: a Negative Result,* JAN HEYLEN and LEON HORSTEN

Jonathan Lowe has argued that a particular variation on C.I. Lewis' notion of strict implication avoids the paradoxes of strict implication. We show that Lowe's notion of implication does not achieve this aim, and offer a general argument to demonstrate that no other variation on Lewis' notion of constantly strict implication describes the logical behavior of natural-language conditionals in a satisfactory way.

*Meta-Ontology and Accidental Unity,* PATRICK TONER

My wife and I and our three children may stand in various relations: being a family, being a basketball team, and so on. I show that Frege's doctrine of existence, when coupled with this simple point, easily solves the problem of material constitution and blocks the overdetermination argument for eliminativism. It does all this work while providing a plausible and clear reductionist account of material objects. These seem to be very good reasons for accepting Frege's doctrine of existence.

*Against A Priori Reductions,* LAURA SCHROETER

According to David Chalmers and Frank Jackson, conceptual competence puts one in a position to have a priori knowledge of conditional claims of the form "If my environment is thus and so, then water = H<sub>2</sub>O." The rationale for this position, I argue, rests on controversial semantic assumptions about the individuation of meanings or concepts. I sketch a new model of conceptual competence, which undermines the apriority of such conditionals.



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PHILOSOPHY  
Vol. 81, No. 2, April 2006

*What is Philosophy?* GRAHAM PRIEST

'What is philosophy?' is a question that every professional philosopher must ask themselves sometimes. In a sense, of course, they know: they spend much time doing it. But in another sense, the answer to the question is not at all obvious. In the same way, any person knows by acquaintance what breathing is; but this does not mean that they know the nature of breathing: its mechanism and function. The nature of breathing, in this sense, is now well understood; the nature of philosophy, by contrast, is still very much an open question. One of the reasons this is so is that the nature of philosophy is itself a philosophical question, so uncontentious answers are not to be expected—if philosophers ever ceased disagreeing with one another our profession would be done for. (More of this anon.) Moreover, it is a hard philosophical question. Many great philosophers, including Plato, Hegel, and others, have suggested answers to it. But their answers would now be given little credence. In the thirty or so years that I have been doing philosophy there have been two views about the nature of philosophy which have had wide acceptance. These are the views of the later Wittgenstein and of Derrida. In the first two parts of this paper I will describe these views and explain why I find them unsatisfactory. I will then go on, in the final part of paper, to outline a view that inspires more confidence in me.

*Passing by the Naturalistic Turn: On Quine's Cul-de-Sac*, P.M.S.  
HACKER

Naturalism, it has been said, is the distinctive development in philosophy over the last thirty years. There has been a naturalistic turn away from the a priori methods of traditional philosophy to a conception of philosophy as continuous with natural science. The doctrine has been extensively discussed and has won considerable following in the USA. This is, on the whole, not true of Britain and continental Europe, where the pragmatist tradition never took root, and the temptations of scientism in philosophy were less alluring.

*Moral Competence and Bernard Williams*, ABIGAIL L. ROSENTHAL

More than twenty years ago the late Bernard Williams published a paper under the oxymoronic title of 'Moral Luck,' which claimed that chance shapes moral standing, and that moral standing, like social or professional standing, has its winners and losers, successes and failures. Williams' final book, *Truth and Truthfulness: An Essay in Genealogy*, offered as a 'fiction' a sociobiological genealogy of moral standing, and worked to free some of the virtues associated with it—such as integrity, Accuracy, and Sincerity—from



the taint of these presumed primitive origins. Whatever the proceeds of this exercise in saving reductionism from itself, it seemed that 'moral luck'—the earlier category—had come through it essentially undamaged.

*Punishment and Repentance*, JOHN TASIOULAS

In philosophical writings, the practice of punishment standardly features as a terrain over which comprehensive moral theories—in the main, versions of 'consequentialism' and 'deontology'—have fought a prolonged and inconclusive battle. The grip of this top-down model of the relationship between philosophical theory and punitive practice is so tenacious that even the most seemingly innocent concern with the 'consequences' of punishment is often read, if not as an endorsement of consequentialism, then at least as the registering of a consequentialist point. But to suppose that repentance or crime prevention, for example, are goods that punishment characteristically aims to secure is hardly to endorse the maximization of some value or set of values as the fundamental criterion of moral rightness. Equally, an appeal to desert or rights in the justification of punishment does not commit one to the deontological claim that these norms have a basis independent of human interests. This suggests that the prevalence of the top-down model may owe more to the inertia of established usage, or the temptations of over-intellectualization, than one might initially have supposed.

*A Defense of Quasi-Memory*, REBECCA ROACHE

Is it conceptually possible for one person to 'remember' the experiences of another person? Many philosophical discussions of personal identity suppose that this is possible. For example, some philosophers believe that our personal identity through time consists in the continuation of our mental lives, including the holding of memories over time. However, since a person's memories are necessarily memories of her own experiences, a definition of personal identity in terms of memory risks circularity. To avoid this, we must invoke the concept of 'quasi-memory'. From my quasi-memory of doing *x*, I cannot infer that I did *x*; but I can infer that somebody did *x*. It is then a further question as to whether the person who did *x* is me, the answer to which will depend upon what we believe personal identity to consist in. Quasi-memory, then, allows us to separate the concept of memory from the concept of personal identity.

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PHILOSOPHY  
Vol. 81, No. 3, July 2006

*A Séance with an Immortal*, ROY SORENSEN

To understand death, you need to compare mortality with immortality. I am here to help. In addition to my personal testimony, I present highlights



from a survey of immortal species and a survey of infinitistic varieties of mortality. These field studies rebut Fredrich Nietzsche's thesis that immortality is inevitably repetitious, Bernard Williams' allegation that immortality is inevitably boring, and Epicurus' thesis that death cannot be bad for you. On the positive side, the study shows that the main difference between immortality and mortality are quantitative. Attention is also given to some striking qualitative differences.

*Kant and Maria von Herbert: Reticence vs. Deception*, JAMES MAHON

This article argues for a distinction between reticence and lying on the basis of what Kant says about reticence in his correspondence with Maria von Herbert and in his other ethical writings, and defends this distinction against the objections of Rae Langton ('Duty and Desolation,' *Philosophy* 67, no. 262 [October 1992]: 481-505). Lying is necessarily deceptive, whereas reticence is not necessarily deceptive. Allowing another person to remain ignorant of some matter is a form of reticence that is not deceptive. This form of reticence may be ethically permissible.

*Did Wittgenstein Practice What He Preached?* JOHN COOK

Wittgenstein made numerous pronouncements about philosophical method. But did he practice what he preached? Cook addresses this question by studying Wittgenstein's treatment of the problem of other minds, tracing a line of argument that runs through his writings and lectures from the early 1930s to the 1950s. Cook finds that there is an inconsistency between Wittgenstein's methodological advice and his actual practice. Instead of bringing words back from their metaphysical to their everyday use, he allows himself to use uncritically words whose provenance is clearly metaphysical.

*The Nonindividuation Argument Against Zygotic Personhood*, LOUIS GUENIN

I consider the argument, thought to clinch the moral case for use of a human embryo solely as a means, that (i) only a human individual can be a person, (ii) because it can happen at any time before formation of the primitive streak that an embryo splits into monozygotic twins, no embryo in which the primitive streak has not formed is a human individual, and therefore (iii) no embryo in which the primitive streak has not formed is a person. I explore the following proffered arguments for (ii): (a) indivisibility is a necessary condition of individuality, (b) nonidentity of an embryo with successor twins impugns the embryo's individuality, and (c) totipotency of an embryo's constituents is inconsistent with the embryo's being a human individual. These arguments are tested and found wanting; so too is an alternative to (a), the argument that indivisibility is intrinsic to personhood. Whereupon (ii) is unsustainable. In search of ways to rehabilitate the nonindividuation argument, I canvass alternative metaphysical views and inquire further into biological individuality, but find that the argument cannot be saved. I conclude by analyzing where this leaves matters concerning the morality of embryo use.



*Kantian Duties to the Self, Explained and Defended*, JENS  
TIMMERMAN

The present article is an attempt to clarify the Kantian conception of duties to the self and to defend them against common objections. Kant's thesis that all duty rests on duties to the self is shown to follow from the autonomy of the human will; and the allegation that they are impossible because the agent could always release himself from such a duty turns out to be question-begging. There is no attempt to prove that there are such duties, but they are revealed to be an indispensable part of morality. Traditional attributes of moral commands, such as 'categoricity' or 'overridingness' make no sense in a one-sidedly other-regarding or social conception of morality.

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PHRONESIS

Vol. 54, No. 3, September 2006

*Akasia in the Protagoras and the Republic*, MICHAEL MORRIS

Although it is a commonplace that the Protagoras and the Republic present different views of akrasia, the nature of the difference is not well understood. I argue that the logic of the famous argument in the Protagoras turns just on two crucial assumptions: that desiring is having evaluative beliefs (or that valuing is desiring), and that no one can have contradictory preferences at the same time; hedonism is not essential to the logic of the argument. And the logic of the argument for the division of the soul in the Republic requires the rejection of just the second of these assumptions, but not the evaluative conception of desire. I also maintain that Plato was aware, at the time of composition, of these features of the argumentation of his dialogues. Finally, I argue that there is reason to think that, even at the time of the Protagoras, Plato held the conception of the soul expressed in the Republic, and not anything like that expressed in the famous argument of the Protagoras. The Protagoras view, even without hedonism, is a poor expression of the thesis that virtue is knowledge.

*The Opening of On Interpretation: Toward a More Literal Reading*,  
MATTHEW D. WALZ

Aristotle begins *On Interpretation* with an analysis of the existence of linguistic entities as both physical and meaningful. Two things have been lacking for a full appreciation of this analysis: a more literal translation of the passage and an ample understanding of the distinction between symbols and signs. In this article, therefore, I first offer a translation of this opening passage (16a1-9) that allows the import of Aristotle's thinking to strike the reader. Then I articulate the distinction between symbol and sign so crucial to understanding this passage. Aristotle employs this distinction, I argue, in order to show how the linguistic entities he defines later in *On Interpretation*



(that is, name, verb, denial, affirmation, declaration, and articulation) are both conventional and natural, owing to their being both symbols and signs, respectively. Finally, I suggest why Aristotle's analysis of how linguistic entities exist as both physical and meaningful is fitting, since man himself, "the animal that has speech," lives at the boundary between nature and intelligence.

*Sources of Delusion in Analytica Posteriora 1.5*, PIETER SJOERD HASPER

Aristotle's philosophically most explicit and sophisticated account of the concept of a (primary-)universal proof is found, not in *Analytica Posteriora* 1.4, where he introduces the notion, but in 1.5. In 1.4 Aristotle merely says that a universal proof must be of something arbitrary as well as of something primary and seems to explain primacy in extensional terms, as concerning the largest possible domain. In 1.5 Aristotle improves upon this account after considering three ways in which we may delude ourselves into thinking we have a primary-universal proof. These three sources of delusion are shown to concern situations in which our arguments do establish the desired conclusion for the largest possible domain, but still fail to be real primary-universal proofs. Presupposing the concept of what may be called an immediate proof, in which something is proved of an arbitrary individual, Aristotle in response now demands that a proof be immediate of the primary thing itself and goes on to sketch a framework in which an intensional criterion for primacy can be formulated.

For the most part this article is a comprehensive and detailed commentary on Aristotle's very concise exposition in 1.5. One important result is that the famous passage 74a17-25 referring to two ways of proving the alternation of proportions cannot be used as evidence for the development of pre-Euclidean mathematics.

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RATIO

Vol. 19, No. 3, September 2006

*Underdetermination and the Argument from Indirect Confirmation*, SORIN BANGU

In this paper I criticize one of the most convincing recent attempts to resist the underdetermination thesis, Laudan's argument from indirect confirmation. Laudan highlights and rejects a tacit assumption of the underdetermination theorist, namely that theories can be confirmed only by empirical evidence that follows from them. He shows that once we accept that theories can also be confirmed indirectly, by evidence not entailed by them, the skeptical conclusion does not follow. I agree that Laudan is right to reject this assumption, but I argue that his explanation of how the rejection of this assumption blocks the skeptical conclusion is flawed. I conclude that the



argument from indirect confirmation is not effective against the underdetermination thesis.

*Creating Identities, Creating Values?* OLIVER BLACK

A popular view is that we create our own identities and values. An attractive version of this is the thesis that the creation of values follows from the creation of identities. The thesis is best supported by a conception of identity in terms of projects and a conception of values that are internal to projects. The line of thought is: I create my projects; in creating my projects, I create values internal to them; so I create those values. This paper argues that the thesis faces a dilemma: it is either true but uninteresting or interesting but false. The dilemma persists whether the values in question are conceived as purpose-relative, as moral, or as both purpose-relative and moral.

*What Are Desires Good for? Towards a Coherent Endorsement Theory,* KRISTER BYKVIST

Desire-based theories of well-being are often said to accept (G), x is good for a person just in case he wants it, and (B), x is better for a person than y just in case he prefers x to y. I shall argue that (G) and (B) are inconsistent, and this inconsistency resists any plausible refinement of these principles. The inconsistency is brought out by cases in which our wants and preferences for certain life-options are contingent on which life-option we realize. My argument can be generalized to endorsement theories that define a person's good as the right combination of some kind of objective desirability and subjective endorsement, and allow preferences to be tie-breakers when the compared objects are equally desirable (or incommensurable). My conclusions will not just be negative. I shall argue that if the choice is between (G) and (B), the most attractive option is to keep (G), slightly refined, and drop (B).

*Papineau on Etiological Teleosemantics for Beliefs,* JOSEPH MENDOLA

Teleosemantics holds that the contents of psychological states depend crucially on the functions of such states. Etiological accounts of function hold that the functions of things depend on their histories, especially their evolutionary or learning histories. Etiological teleosemantics combines these two features. Consider the case of beliefs. Since selection rests on the stable effects of things, since beliefs have no obvious effects independent of unstable desires, and since desires themselves have mental content, beliefs may seem a hard case for etiological teleosemantics. But David Papineau deploys the effects of beliefs mediated by conation in an artful way to evade these difficulties. I argue that accounts with such an architecture are false.



*Mind-Independence Disambiguated: Separating the Meat from the Straw in the Realism/Anti-Realism Debate*, SAM PAGE

The notion of mind-independence plays a central role in the contemporary realism/anti-realism debate, but the notion is severely ambiguous and consequently the source of considerable misunderstanding. In this paper, four kinds of mind-independence are distinguished: ontological, causal, structural, and individuating independence. Appreciating these distinctions entails that one can reject the individuating independence of the natural world, and still maintain that the natural world is causally and structurally independent of us. This paper argues that so-called anti-realists, especially Rorty, Putnam, and Goodman, are not opposed to the causal and structural independence of the natural world, as is frequently alleged, but rather its individuating independence. An acceptance of these points will hopefully put an end to the prevalence of strawmen in the debate, and focus attention on meatier issues.

*Does Descartes Deny Consciousness to Animals?* JANICE THOMAS

Contrary to longstanding opinion, Descartes does not deny all feeling and awareness to non-human animals. Though he undoubtedly denies that animals think, a case can be made that he nonetheless would allow them organism consciousness, perceptual consciousness, access consciousness and even phenomenal consciousness. Descartes does not employ or accept an 'all-or-nothing' view of consciousness. He merely denies (not that this is a small thing) that animals have the capacity for self-conscious reflective reception or awareness of sensations and feelings.

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MONIST

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*Three Rival Versions of Political Enquiry: Althusius and the Concept of Sphere Sovereignty*, M.R.R. OSSEWAARDE

Johannes Althusius is usually identified as the father of federalism, who was concerned with the division of powers within the sovereign state. The general argument is that Althusius' federalist principle is the principle of subsidiarity, which states that no higher authority can legitimately claim responsibility for something that a lower authority could do. This paper attempts to show that this vision of Althusius is incorrect. It is here argued that Althusius is not a federalist, sovereignist, or subsidiarity thinker, but that he developed his own alternative to both federalism, sovereignty and subsidiarity. This alternative is known as sphere sovereignty. By presenting sovereignty, subsidiarity and sphere sovereignty as three rival versions of political alternatives, it is shown why Althusius cannot be understood in terms of federalism, sovereignty and subsidiarity. The focus of this paper is therefore on sphere sovereignty, as a key to understanding Althusius.



*The Normative Limits to the Dispersal of Territorial Sovereignty,*  
DANIEL KAUFMAN

A spate of recent work urges the dismantling (O'Neill), 'vertical diffusion' (Pogge), or 'unbundling' (Elkins) of state sovereignty, blamed for an array of evils: aggressive nationalism, obstructing global cooperation on the environment and justice, and promoting war and human rights abuses. These writers universally neglect features of sovereignty, however, which contribute to or are even indispensable for democratic community, administration of justice, efficient governance, and civic virtue and tolerance. All commit the function atomist fallacy: analysing separately the optimal government level and borders for each administrative function. But modern society requires a state budget that can allocate investment flexibly across different functions. A taxation system to finance this budget must be centralised and integrated with a centralised legal administration. In fact the most essential public goods can be produced only by clustering together administrative functions, and by integrating a myriad of government and non-government institutions into an interdependent democratic community.

*The Crooked Timber of Reality: Sovereignty, Jurisdiction and the Confusions of Human Rights,* JOHN LAUGHLAND

Arguments against state sovereignty are becoming increasingly common, as human rights activists seek to subject political power to the criminal justice system, in particular through the creation of international criminal tribunals and other supranational organisations with coercive powers. These arguments are based on the fallacy that the logic of political responsibility can be side-stepped by an appeal to universal morality. ('Who guards the guardians themselves?') Sovereignty in any case means constitutional independence, not the discretionary power of a government. The argument is also historically false: the jurisprudence of the Nuremberg trials, for instance, is explicitly committed to the preservation of state sovereignty. The writings of the French jurist, Michel Villey, help us to understand how moral imperatives are in fact compatible with the logic of state sovereignty. The rule of law can be protected only when moral rules are applied within a specific territory by the legally authoritative political bodies of a sovereign state.

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AUSTRALASIAN JOURNAL OF PHILOSOPHY  
Vol. 84, No. 3, September 2006

*Now is the Time,* MAX CRESSWELL

The aim of this paper is to consider some logical aspects of the debate between the view that the present is the only 'real' time, and the view that the present is not in any way metaphysically privileged. In particular I shall set out a language of first-order predicate tense logic with a *now* predicate, and a



first order (extensional) language with an abstraction operator, in such a way that each language can be shewn to be exactly translatable into the other. I shew that this translation is preserved at the metalinguistic level, so that equivalent truth conditions can be defined in a tensed metalanguage or an indexical metalanguage. I then make some remarks about the connection between proofs of relative consistency and metaphysical truth; and some historical remarks about Arthur Prior's use of formal logic in expressing his presentist views.

*An Objective Counterfactual Theory of Information*, JONATHAN COHEN AND AARON MESKIN

We offer a novel theory of information that differs from traditional accounts in two respects: (i) it explains information in terms of counterfactuals rather than conditional probabilities, and (ii) it does not make essential reference to doxastic states of subjects, and consequently allows for the sort of objective, reductive explanations of various notions in epistemology and philosophy of mind that many have wanted from an account of information.

*Re-acquaintance with Qualia*, JOHN BIGELOW AND ROBERT PARGETER

Frank Jackson argued, in an astronomically frequently cited paper on 'Epiphenomenal qualia' [Jackson 1982] that materialism must be mistaken. His argument is called the *knowledge argument*. Over the years since he published that paper, he gradually came to the conviction that the conclusion of the knowledge argument must be mistaken. Yet he long remained totally unconvinced by any of the very numerous published attempts to explain where his knowledge argument had gone astray.

Eventually, Jackson did publish a diagnosis of the reasons why, he now thinks, his knowledge argument against materialism fails to prove the falsity of materialism [Jackson 2005]. He argues that you can block the knowledge argument against materialism—but only if you tie yourself to a dubious doctrine called *representationalism*.

We argue that the knowledge argument fails as a refutation of either representational or nonrepresentational materialism. It does, however, furnish both materialists and dualists with a successful argument for the existence of distinctively first-person *modes of acquaintance* with mental states. Jackson's argument does not refute materialism: but it does bring to the surface significant features of thought and experience, which many dualists have sensed, and most materialists have missed.

*Dretske on Knowledge Closure*, STEVEN LUPER

In early essays and in more recent work, Fred Dretske argues against the closure of perception, perceptual knowledge, and knowledge itself. In this essay I review his case and suggest that, in a useful sense, perception is closed, and that, while perceptual knowledge is not closed under entailment, perceptually based knowledge is closed, and so is knowledge itself. On my



approach, which emphasizes the safe indication account of knowledge, we can both perceive, and know, that sceptical scenarios (such as being a brain in a vat) do not hold.

*Dialetheism, Semantic Pathology, and the Open Pair*, BRADLEY AMOUR-GARB AND JAMES WOODBRIDGE

Over the past 25 years, Graham Priest has ably presented and defended *dialetheism*, the view that certain sentences are properly characterized as true with true negations. Our goal here is neither to quibble with the tenability of true, assertable contradictions nor, really, with the arguments for dialetheism. Rather, we wish to address the dialetheist's treatment of cases of *semantic pathology* and to pose a worry for dialetheism that has not been adequately considered.

The problem that we present seems to have broader bite, afflicting both consistent and inconsistent proposals for resolving semantic pathology. Thus, while our primary goal is to uncover some important connections between dialetheism, semantic pathology, and other, more general issues, the problem that we pose might be a worry for anyone who aims to resolve semantic pathology—consistently or not.

*Moral Realism and Program Explanation*, MARK T. NELSON

Alexander Miller has recently considered an ingenious extension of Frank Jackson and Philip Pettit's account of 'program explanation' as a way of defending non-reductive naturalist versions of moral realism against Harman's explanatory criticism. Despite the ingenuity of this extension, Miller concludes that program explanation cannot help such moral realists in their attempt to defend moral properties. Specifically, he argues that such moral program explanations are dispensable from an epistemically unlimited point of view. I show that Miller's argument for this negative claim is inadequate, and that he has, in spite of himself, identified a promising defence of moral realism.

*How Does Visual Phenomenology Constrain Object-Seeing?*  
SUSANNA SIEGEL

I argue that there are phenomenological constraints on what it is to see an object, and that these are overlooked by some theories that offer allegedly sufficient causal and counterfactual conditions on object-seeing.

*When Seeing Is Not Believing: A Critique of Priest's Argument from Perception*, PAUL KABAY

In this paper I critically examine an argument proposed by Graham Priest in support of the claim that the observable world is consistent. According to this argument we have good reason to think that the observable world is consistent, specifically we perceive it to be consistent. I critique this argu-



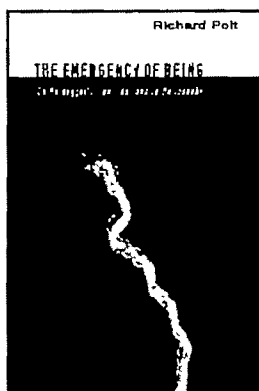
ment on two fronts. First, Priest appears to reason from the claim 'we know what it is to have a contradictory perception' to the claim 'we know what it is to perceive a contradiction'. I argue that this inference fails to be valid. Secondly, I give reasons for thinking that if an observable state of affairs were to be contradictory, we would perceive it to be consistent. As such that the world we observe appears consistent does not constitute evidence that it is in fact consistent. That we see a consistent world is no reason to believe that the world is consistent. I conclude the paper with some reflections on the implications of this analysis for the plausibility of trivialism.

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*CORRECTION from last issue's abstracts*

*The Monist*, vol. 89, no. 2, April 2006: *How International Relations Theorists Can Benefit by Reading Thucydides*, **W.J. KORAB-KARPOWICZ**.





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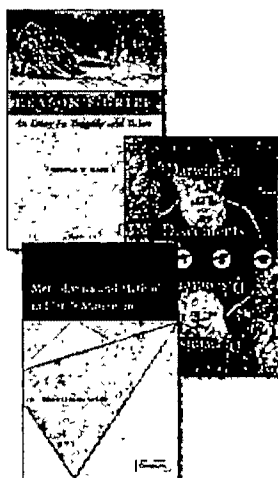
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